Let me be frank; if we did not have the good points of the West to guide us, we wouldn't have got out of our backwardness. We would have been a backward economy with a backward society. But we do not want all of the West.

- Lee Kuan Yew[1]

For the first time since the Universal Declaration [of Human Rights] was adopted in 1948, countries not steeped in the Judeo-Christian and natural-law tradition are in the first rank: that unprecedented situation will define the new international politics of human rights. It will also multiply the occasions for conflict.

- Bilahari Kausikan[2]

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[1] Fareed Zakaria, "Culture Is Destiny - A Conversation With Lee Kuan Yew," Foreign Affairs 73, No. 2 (March/April 1994): 125.

[2] Michael Elliot and Bill Powell, "Is It Just Western Arrogance?" Newsweek, 29 November 1993, 47.

University of Alberta

Double Standards: Human Rights and Democracy in East Asia

by

Mark Milke

A thesis submitted to the Faculty of Graduate Studies and Research in partial fulfillment of the requirements for the degree of Master of Arts

Department of Political Science

Edmonton, Alberta

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The undersigned certify that they have read, and recommend to the Faculty of Graduate Studies and Research for acceptance, a thesis entitled: **Double Standards: Human Rights and Democracy in East Asia** submitted by **Mark H. Milke** in fulfillment of the requirements for the degree of MASTER OF ARTS

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Dedication

It would be impossible to thank all who have influenced my thinking on this or any other subject. However, without God, family, friends, as well as philosophers, saints, thinkers, and authors dating back to Rome and Greece and perhaps even earlier, the ideas expressed here would not have been possible or even important to me. The above have contributed to my development in a myriad of ways and this thesis reflects that influence. If nothing else results from this thesis, the very act of writing it has certainly forced me to think more deeply and ponder on the nature of man, the nature of power, and on the uneasy relationship between the two.

Abstract

In this thesis, it is argued that human rights and democracy are universal and as such should be defined clearly and advanced without apology. The arguments advanced by some politicians and theorists that would define human rights and democracy according to culture are politically convenient but philosophically problematic.

Further, the attempt to place so-called economic and cultural rights on the same level as political and civil rights misses the point. Civil and political rights are the means to which the other issues and their relative importance can be discussed or promoted. The grounding of one's country in the basic civil and political rights will ensure that other "rights" or desires can be pursued, debated, discussed, and implemented.

To "guarantee" economic and social "rights," especially without civil and political freedoms, is wishful thinking. While societies may possess economic success and social freedoms without a strong commitment to civil and political rights, the only foundational guarantee of such success and freedoms comes through a commitment to the basic civil and political rights.

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Introduction

Human rights and democracy are concepts that few in theory oppose. At present though, the importance of these ideas in international politics is the subject of much debate. That there should be a universal standard or definition for both human rights and democracy is not an unquestioned premise. There is, for example, a growing emphasis on respecting cultural differences and the use of such differences to argue there can be varying standards of human rights for example, or an "Asian" form of democracy - a form that is usually never more participatory but rather less. As well, some argue that democracy and human rights are sometimes better left by the side of the road in the quest for both prosperity and stability. Another problem is that the term, *human rights*, has come to encompass a broad range of rights that go far beyond basic civil and political rights. The end result is that a common definition is much more elusive.

It is useful when examining human rights and democracy to focus on East Asia. Much of the debate over whether a universal standard of human rights actually exists and whether democracy itself should be universal is current to that region. Given the region's increasing economic, political and military clout, the answers that are reached there will matter not only for those countries but also for other non-western regions that grapple with such questions.

In this thesis, I will argue that human rights and democracy are universal and that they should be clearly defined. I will list the arguments that contend East Asia little needs democracy, or that democracy would in fact be harmful to the body politic, and argue that

such concepts are not without relevance in East Asia. I argue that where democracy and human rights are respected in East Asia, the results have been largely positive and not a cause for instability. In addition, on a purely utilitarian level, a strong commitment to democracy and human rights will protect the growing economic success that has occurred in East Asia, current troubles notwithstanding.

More importantly, a stronger commitment to democracy and a legal guarantee of human rights will protect some of the civil rights that many in East Asia currently enjoy. To contend that East Asia neither needs nor desires participatory democracy including strong opposition parties, and that there can be a different standard of human rights, is philosophically inconsistent and politically problematic.

In light of the authoritarian excesses that have occurred in East Asia in the past and continue to exist in some countries, such arguments play into the hands of despots and demagogues. The argument about what is a proper form of government and what rights people ought to enjoy is not just an argument about the present. It is also an argument about how to prevent the worst excesses of the past from re-occurring.

I contend that a narrow interpretation of human rights and democracy is crucial - call it "Western" if one must - and that political and civil rights must be considered first when discussing the concept of human rights. I will not define the term in a way that would attempt to include that cornucopia of "rights" - cultural for example - which are better labelled as privileges, if not luck. Such dilution of the term does nothing except empty it of any meaning. In practical political terms, it allows recalcitrant regimes to claim they are providing rights when they are doing nothing of the sort. To place what are

known as social, economic and cultural rights on the same level as civil and political rights obscures the debate about whether any right is universal. Those that argue in such a manner make the definition of human rights too broad to be of any practical political value, which may or may not be part of their motivation in taking such a position.

As a result, I will define human rights in the negative sense - the right of an individual not to be interfered with. This includes freedom of conscience, belief, assembly, freedom from torture, freedom of the press - in short - freedom to agitate for change in a non-violent manner, or freedom to live one's life without undue and coercive interference from the state and the right to life and liberty. In other words, 'negative rights,' as this concept of human rights is generally known. Granted that almost nowhere in the world can one escape the influence of the state, but that is of little relevance to the debate over what ought to be the minimum standard of rights any and all states should observe.

For present purposes, the defense of Cuba's retrogressive stance on the issue of democracy and human rights is a perfect example of the bog in which a debate over human rights tends to become stuck. Cuba's oft-repeated claim that its universal health-care system (poverty-stricken though it is) proves its superiority to the United States, is one of the better examples of such political and philosophical duplicity when it comes to the human rights debate. A dictatorial regime provides free medical check-ups to its citizens, and the arbitrary imprisonment of political prisoners and the lack of a democratic legislature are thereby justified.

To define human rights in such a way is to argue that the leadership possesses

wisdom that would not otherwise be there if elections were held. One might well argue for the divine right of kings on such a shaky premise. The defense of Cuba's dictatorship by pointing to a supposed benefit some citizens receive - the assumption being that that benefit would not exist apart from the existence of the current regime - is weak at best. Free medical care can hardly be considered equivalent to freedom of the press, assembly, opposition, and the vote.

The argument either blatantly or merely hinted at, is that one nation has one set of human rights, another has *its* collection. This leads to the core of the dispute between those (not necessarily Western or Asian) who argue human rights and democracy can be universal and those who argue such concepts are hopelessly linked to particular nations and cultures, unable to successfully take root in any other soil. For example, I will argue that there is more than one view as to whether Confucianism is wholly anti-democratic. Further, much of the criticism of "Western" human rights and "Western" democracy is actually criticism of the excesses of Western culture, not core rights. In addition, not even Western hypocrisy on the issue of human rights is a valid argument for opposing the entrenchment of democracy and human rights in East Asia.

Insofar as democracy is concerned, I will define it as any system of government that provides for a free vote between competing factions on a regular basis. Under that definition, Singapore, the Republic of Korea, Thailand, Malaysia, Indonesia, Japan, the Philippines, and Taiwan can all be considered democratic. That is not a denial that opposition parties face uphill struggles in many of the aforementioned countries. Nor is it an argument that the democratic process in such countries could not be more robust -

especially in Malaysia, Indonesia and Singapore. Rather, it is an acknowledgement that representative government does exist in sections of East Asia, though hindered more or less depending on the particular country.

For example, the harassment of opposition politicians in Malaysia and Singapore is hardly conducive to a healthy democracy or those countries' long-term interests. Nevertheless, the form of democracy exists in such countries even if the substance of it is somewhat weak. My argument while discussing democracy is that of an advocate for progress in a state's move towards providing for non-violent dissent – i.e. – freedom to disagree publicly. If the people of Singapore choose to re-elect the ruling party for the next 30 years as they have for the past three decades, that is all well and fine.

My concern and criticism exist when a country actively discourages dissension by way of fiscal punishment as happens to opposition constituencies in Singapore, and when lawsuits are used to shut down the mildest of dissent.[1] Such actions reveal only a lust for power on the part of the governing party, a fear of opposition that borders on a mixture of paranoia and contempt, and a disregard for the intelligence of the average Singaporean. Such actions in one of the most stable countries in the region make clear the need for stronger opposition parties. If the mandarins in Singapore are so afraid of opposition, even when the opposition is practically innocuous, that alone argues for the necessity of another democratic alternative. Such fears say more about the mindset of those in government than they do about supposed fears of Western influence or unique Asian

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[1] Sangwon Suh and Santha Oorjitham, "The Cost of Opposition," Asiaweek, 17 January 1995, 19.

political models. The existence of a prepared, politically mature opposition party that is ready to take power should the governing party falter is not a threat to stability, it is another anchor in any country's political system.

In this thesis, I will concentrate mainly on the arguments from Singapore's leaders. Singapore's mandarins and politicians have been in the forefront of an "Asian values" campaign that purports to provide an alternative model for human rights and democracy vis-à-vis the West. Arguments from other sources, insofar as they are relevant, will be introduced to show that Singapore is not the only advocate of an "Asian values" campaign. But unlike Malaysia for example, where the Prime Minister's ravings against the West borders on paranoia fuelled by conspiracy theories about Jewish financiers,[2] Singapore's leaders have projected their arguments with cool, calculated, reasonable-sounding analyses of the defects of the West. That their arguments are projected with such skill is politically advantageous. No one is likely to dismiss their arguments as unbalanced as one could with regards to those that come from Malaysia's Dr. Mahathir. However, that is precisely the problem. If the Singaporean hypothesis on the fundamental differences between East and West turn out to be mistaken but their arguments succeed anyway due to their popular appeal, the results would be tragic for the future of democracy and human rights in East Asia.

There are, of course, differing views in East Asia. The public pronouncements of Lee Kuan Yew may not necessarily reflect those of the Singapore government's cabinet

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[2] Evelyn Iratani, "Malaysia's man of contradictions," Los Angeles Times, 27 November 1997, sec. a, p. 16.

table. Such pronouncements, given the stifled public air of Singapore, cannot be readily assumed to be those of the public. And there are the voices of the intellectuals and dissidents in East Asia, some of whom sharply disagree with their political masters. This thesis will draw on such views in explaining the certain lack of consensus that exists in East Asia as regards "Asian values".

Chapter One

The Arguments for "Asian Values"

Insofar as there is an "Asian values" creed," it can be said to have four main components. Public pronouncements may emphasize one particular value over another depending on the country, but these are the common threads that run through them all.

One: *Rights are culturally specific.* The most recent example of this was the Bangkok Declaration, endorsed at the 1993 Asian regional preparatory meeting for the Vienna World Conference on Human Rights. The participating governments including Singapore, Malaysia and Indonesia, agreed that human rights "must be considered in the context of a dynamic and evolving process on international norm-setting, bearing in mind the significance of national and regional peculiarities and various historical, cultural, and religious backgrounds."[3]

Two: *The community takes precedence over the individual.* Given this presupposition, the rule of law and human rights, at least as traditionally defined in the West, are secondary to the overall good of the community.

Three: *Social and economic rights take precedence over civil and political rights.* Under this claim, some East Asian politicians claim to provide a counter-standard by which to judge human rights. The argument is that the right to vote means little if one is starving. This is perhaps the most beguiling of the arguments and the one that seems to

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[3] Xiaoron Li. "Asian Values" and the Universality of Human Rights," Report from The Institute for Philosophy and Public Policy, No. 2 (Spring 1996): (WWW) 1.

have the most currency in other countries.

Fourth: *Rights are a matter of national sovereignty*. To even bring up that issue can be regarded as "cultural imperialism." In addition, it is argued that human rights issues are raised for reasons other than those stated. The stated concern about human rights covers an attempt to maintain a hegemonic position in some forms of international trade. For example, the textile unions in one country could argue against allowing imports from another on the basis that that country has a questionable human rights record. While the stated reason is a concern for human rights, some would argue the underlying motive is to restrict the exports of textiles from other countries thus preserving jobs in the country that professes to be concerned about human rights.

Argument One: *Cultural Specificity*

The first of these arguments – that of cultural specificity – has been put forward most strongly and repeatedly by the leaders of Singapore. The underlying basis for the first argument is an appeal to Confucian values and the uniqueness therein. The claim is that specific East Asian identities are derived from the historical influence of Confucianism. Singapore, now classified as a developed country, is pointed to as a preferred alternative to the West. Singapore's leaders have been at the centre of the dispute between "Western values" and "Asian values." It is worth examining and debating their claims.

As a result of this claimed uniqueness, the basis for a differing view on human

rights is thus argued. Singapore's former representative to the United Nations, Kishore Mahbubani, argues that the psychological change that has occurred over the last fifty years in Asia has led to an explosion of confidence that enables East Asians to view themselves and their future in non-European terms. He argues the change from colonial possessions to independent states, coupled with booming economies, has led to the recognition that Asia is a different political animal.

> If East Asia's economic success had occurred in the nineteenth century, there would have been a natural impulse to see it, as Japan did, in terms of acceptability in the-then premier Club of Europe. Today East Asians have moved away from that assumption. They realize that it will be a struggle to work out social, political, and philosophical norms that best capture their people's aspirations. It will not be easy to develop new concepts in sensitive areas like democracy, human rights, and freedom of the press. But to continue to progress, East Asia will have to do so.[4]

Mahbubani provides no explanation as to why East Asia *needs* to develop new concepts in sensitive areas like democracy, human rights, and freedom of the press. He simply assumes East Asia's progress depends on it.

Singapore's former Prime Minister and current senior minister, Lee Kuan Yew, argued thirty years ago that differences in culture required different standards and expectations with regards to government actions.

> If we were a soft society, then we would have already perished. For a soft people would not be able to take their problems in their stride, nor support a government that takes measures requiring stiffer effort and greater sacrifice to ensure collective survival. A soft people will vote for those who promise a soft way out, when in truth, there is none. This has happened in several Afro-Asian countries, newly independent. A soft people, faced with tough problems electing a soft government, soon find themselves in chaos and confusion, which in turn inevitably lead to the

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[4] Kishore Mahbubani, "The Pacific Way," Foreign Affairs 74, No. 1 (January/February 1995): 104.

imposition of military rule.[5]

Looking back, Lee continues to credit culture for the success of modern-day Singapore. "We were fortunate we had this cultural backdrop, the belief in thrift, hard work, filial piety and loyalty in the extended family, and most of all, the respect for scholarship and learning."[6]

Because of the differences in culture, Lee – a British-trained barrister - has argued that Singapore and other East Asian countries should interpret Western concepts such as *habeas corpus* in the reverse order of how is has been traditionally been applied. T.J.S. George explains.

> In January 1962 he tried to explain to the University of Singapore's Law Society his variation on the rule of law. He said the 'sociological and economic milieu' of Singapore was different from that of the West which made it necessary to 'bridge the gulf' between the ideal and the practical. 'Forms and principles' were fine, but unless they were 'adapted and adjusted' to meet given circumstances, they would undo society. Singapore's young lawyers should 'bridge the gulf quickly' lest they spend years 'floundering in confusion'. The phrase 'law and order' was misleading for it implied that good law led to good order'. The phrase should be reversed, giving order precedence over law. After this parade of phrases and ideas, it was easy to prop up the thesis that the British pattern of *habeas corpus* was unsuited to the 'sociological and political conditions' of Singapore.[7]

Lee and other Singaporean politicians have not been content to argue that Singapore alone among East Asian countries is culturally set apart from the rest of the world and therefore able to discern a uniquely East-Asian view of human rights and

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[5] Peng-Khaun Chong, ed. Problems in Political Development: Singapore (Berkeley: McCutchon Publishing Company, 1968), 97.

[6] Zakaria, "Culture is Destiny…" 114.

[7] T.J.S. George, Lee Kuan Yew's Singapore, (London: Andre Deutsch, 1973), 115-116.

democracy. Their public pronouncements on other East Asian nations and their advice to their leaders contain the same philosophical assumptions. Commenting on Hong Kong and China shortly after the British turnover, Lee argues East Asia may well define representative government differently, i.e., unlike the West. "Whether China will be a democracy like the West or have its own form of pluralism and representative government, I would leave time and circumstance to decide.[8]"

Another politician from Singapore, Prime Minister Goh Chok Tong, agreed and professed little concern over the change in Hong Kong's government, including the electoral change which would shrink the number of eligible voters in the Special Administrative Region (SAR) of Hong Kong. Making a comparison between Hong Kong and Goh's own country, Goh argued that Singaporeans themselves had "rejected Western-style liberal democracy and freedoms."[9]

Not that Singapore was the first to promote "Asian values." According to Kishore Mahbubani, the proof that East Asia is fundamentally different can be found in the first East Asian country to modernize – Japan. He cites Japan as the key East Asian example and one that other East Asian countries should consider emulating.

> Culturally, it remains quintessentially Japanese, but its civil administration (with arguably the most powerful Westernized bureaucracy in the world) business, science, and technology are among the best. It has modernized and is no longer a feudal society. Several key imperial ceremonies are conducted in European coattails. But there is no doubt that the Japanese remain Japanese.... Their souls are Japanese.... They bow deeply and behave reverently toward their elders. There is

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[8] Lee Kuan Yew, qtd. in Viewpoints, (world wide web.singapore-window.org.), 1.

[9] Kevin Hamlin, "Singapore Makes Bold Bet On The Future Of Democracy," Asia Times,24 June 1997, (world wide web. Singapore-window.org/at0624.htm),1.

> relatively little juvenile delinquency or crime. The glue that holds Asian societies and families together has not been weakened by modernization.[10]

Yoichi Funabashi, the Washington bureau chief for the Asahi Shimbun, argues that an Asian consciousness and identity are now authoring a cohesive Asian worldview. He claims the emerging Asian worldview is not one of imperialist pretence, ideological fervour, totalitarian paranoia or superpower hubris.

> The Asian consciousness is animated by workaday pragmatism, the social awakening of a flourishing middle class and the moxie of technocrats, although still tinged perhaps by anticolonialist resentment, racism and indifference to civil liberties.[11]

He argues that the East Asian distinctiveness can be seen in a number of ways: economic development premised on political stability; emphasis on education, infrastructure, agriculture, light industry and exports; and democratization muffled and deferred to suit the progress of economic development. "Philosophical and theoretical frameworks are forming around these models," claims Funabashi.[12] Asia, says Funabashi, will no longer put with being treated simply as a card; it will now demand respect as a player.

> Its success stories are likely to inspire and provide the voice for original, distinctly Asian ideas on a host of issues: human rights; the debate over democracy versus economic development; the relationship of corporate enterprises to the state; security in the new world order and in the region.[13]

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[10] Ibid., 107.

[11] Yoichi Funabashi, "The Asianization of Asia," Foreign Affairs 72, No. 5 (November/December 1993): 75.

[12] Ibid., 78.

[13] Ibid., 85.

One Malaysian politician frames the debate slightly differently. Malaysia's Foreign Minister, Abdullah Badawai, argues that though there can be no different definition for human rights, there can be a different *standard.*

> There is no separate definition of human rights for Asia or for other regions. What we are saying is that measures in protecting and promoting human rights should differ from region to region and should take into account local peculiarities such as the political situation, the level of socio-economic development, cultural practices, religious beliefs. A balanced and holistic approach to promoting human rights in all its aspects should be the objective of all countries, but at a speed and phase comfortable to them.[14]

Of course, to argue that there can be a different standard is to argue that human rights can be defined differently country by country. In the end, the foreign minister's reasoning is circular. He advocates, whether he knows it or not, a different definition.

Arguments Two & Three: *The community takes precedence over the individual and social and economic rights take precedence over civil and political rights.*

The second and third major arguments - that the community takes precedence over the individual and that social and economic rights trump civil and political rights - are closely intertwined. Both stem from the first argument over culture, and have the most currency in East Asia because of the social and familial breakdown obvious in many Western societies.

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[14] Asiaweek, 31 October 1997, (world wide web.singapore-window.org/1031mal.htm) 1.

As with the first argument, Singapore's politicians have not been shy about advancing arguments in favour of the community over the individual. Lee Kuan Yew argues that individualism, taken to an extreme, is a critical factor in the breakdown of civil society. He admires the open relations between people in America regardless of social status, ethnicity or religion. However, he finds the breakdown of civil society, which he attributes to extreme individualism, unacceptable.

> The expansion of the right of the individual to behave or misbehave as he pleases has come at the expense of orderly society. In the East the main object is to have a well-ordered society so that everyone can have maximum enjoyment of his freedoms. This freedom can only exist in an ordered state and not in a natural state of contention and anarchy...The idea of the inviolability of the individual has been turned into dogma.[15]

In other words, as Lee argues elsewhere – which society really enjoys human rights? The country where one cannot walk after dark in many major cities or in Singapore where one can?[16] Along the same line of reasoning, George Yeo, Singapore's Minister for the Arts points to the burden of the welfare state that has undermined Western competitiveness. He also points to an overemphasis on individual freedoms - the result of which he claims is rampant crime, excessive litigation and weak government - as a further example of fundamental flaws within Western political systems.[17]

As another example of the presumed difference between the East and West, Lee Kuan Yew argues the Confucian emphasis on filial loyalty and family is yet another

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[15] Zakaria, "Culture Is Destiny..." 111-112.

[16] Clark D.Neher and Marlay, Ross, Democracy and Development in Southeast Asia – The Winds of Change, (Boulder: Westview Press, 1995), 138.

[17] Hamlin, "Singapore makes bold bet on the future of democracy," 1.

reason why Asian societies are simply unlike Western ones. Such an emphasis will prevent what he believes to be the extreme emphasis on individualism he observes in the West.

> The fundamental difference between Western concepts of society and government and East Asian concepts - when I say East Asians, I mean Korea, Japan, China, Vietnam, as distinct from Southeast Asia... is that Eastern societies believe that the individual exists in the context of his family. He is not pristine and separate. The family is part of the extended family, and then friends and the wider society. The ruler or the government does not try to provide for a person what the family best provides.[18]

It is not only East Asian politicians that have argued there is a cultural divide that leads to an emphasis on community in East Asia over and above that of the individual. Westerners have also promoted this understanding of East Asia. Richard Halloran argues that in the West, the individual takes priority while in Asia, the community takes precedence. This East Asian distinctiveness then, argues Halloran, lays the foundation for how the differing worldview affects the decision-making process, and ultimately, policy.

> Not only will Asian strength be felt on international decisions, but also the way they exert influence will differ. Westerners, for instance tend to be logical and analytical; Asians are more intuitive and sometimes more emotional. Westerners assert rights, Asians respond to obligations. In the West, the individual takes priority, in Asia, the community. Westerners, especially Americans, are governed by law and contract - Asians by custom and personal relations. In the West, decisions are made by voting - Asians decide by consensus.[19]

It is not surprising individualism is suspect in much of East Asia, given the negative connotation attached to individualism to begin with. Addressing the Chinese

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[18] Zakaria, "Culture Is Destiny," 113.

[19] Richard Halloran, "The Rising East," Foreign Policy No. 102 (Spring 1996): 3-4.

ambivalence with the concept, Richard Hornik points out that a fear of individualism is ingrained in the language. "The Chinese expression for 'individual' has a pejorative connotation."20

Add to that the constant comparison made with the West as it concerns family breakdown and what is perceived as a general lack of social cohesion and care for the wider community, the high income inequality, homelessness, drug addiction and crime.[21] Painted in such a manner, it is less than surprising that individualism is negatively perceived in East Asia.

Also of some concern is the role societal stability plays in economic growth. The necessity of such stability is given as another reason why the community needs to be emphasized at the expense of the individual. According to some apologists for an East Asian interpretation of human rights, whether a country decides to emphasize individual or community rights is not a matter of philosophical debate or rights. It is simply a decision and it is the right of a country's leaders to make that decision based on the idea that there are other rights, economic, cultural and religious, that also need to be taken into account. The latter categories may even need to be promoted at the expense of civil and political rights according to one such advocate, Malaysia's foreign minister Abduallah Badawi.

> Many developing countries have a large number of citizens living in poverty. The government's responsibility should therefore be, among other things, to ensure its

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[20] Richard Hornik, "Bursting China's Bubble," Foreign Affairs 73, No. 3 (May/June 1994): 38.

[21] Peter Van Ness, "Addressing the Human Rights Issue in Sino-American Relations," Journal of International Affairs 49, No. 2 (Winter 1996): 319.

> citizens have proper meals, roofs over their heads, adequate educational opportunities, health services. In this context, a country facing internal civil or political strife would establish priorities different from another country undergoing economic and financial difficulties. One should not presume that citizens' rights to free expression have a priority over economic, cultural, or religious rights. Additionally, individual countries should be allowed to decide whether in promoting human rights, they should give priority to individual over community or society rights."[22]

Another example comes from Lee Kuan Yew, who disliked the West's portrayal of the 1989 Tiananmen Square massacre as individuals standing up for their rights against an oppressive government. He argued the Chinese government had a legitimate concern about the stability of greater China. Lee instead preferred to see the confrontation as one example of the turbulence that comes with economic flowering, and his criticism of Beijing was limited to remarking that "It is regrettable that the firepower used was disproportionate to the protest."[23] In another interview he again took the side of stability, arguing that American support of Chinese dissidents undermined the greater good – the stability of the larger community.

> [The U.S. has] rooted for the dissidents, many of whose ideas would unravel China. If there are sudden reversals in their economy, plus several bad harvests, that could be the beginning of an unravelling if the leadership is blamed for it and if the political and military leadership then splits. It's not their fear of minorities breaking away, but of the system breaking up and China again reduced to chaos.[24]

Singapore is as usual a case study all on its own its own when it comes to placing

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[22] Asiaweek, 31 October 1997, (World Wide Web, singapore-window.org/1031mal.htm) 1.

[23] James Minchine, No Man Is An Island: A Portrait of Singapore's Lee Kuan Yew, (North Sydney, Allen & Unwin Ltd., 1986, 1990) 367.

[24] Far Eastern Economic Review, 18 November 1993, (world wide web.china-net.org/CCF93/ccf9326-html) 1.

the community ahead of the individual. Lee Kuan Yew is quite straightforward that the community must come first, individual freedoms second, citing the survival of Singapore as dependent on it. He is sceptical that citizens of a developing country have the wherewithal and judgement to vote and direct the affairs of a nation with clarity and intelligence, especially given that many – depending on the country - are still illiterate. According to Lee, to apply liberal values then to present-day Asia would only result in a mess. "This free-for-all, this notion that all ideas should contend and there will be blinding light out of which you will see the truth – ha!"[25] Given such a posture, it is not surprising that Lee fully admits interference in the lives of citizens in Singapore has been necessary. "I am often accused of interfering in the private lives of citizens. Yes, had I not done that, we wouldn't be here today."[26]

The practical political consequence for Singaporeans has been the government's attempt to "de-politicize" everyday life.[27] This means a strict separation between religious activity and politics for example and the discouragement of non-governmental organizations (NGOs) since they could become a focal point and source for opposition to the government.[28] Singapore also never hesitates to restrict newspapers or magazines from

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[25] "What Price Asian Values?" Hong Kong Business, (world wide web. Asiaonline.net.hk.hkbus/2.htm) 2.

[26] *Straits Times*, 18 August 1986, 1.

[27] Barbara Leitch Le Poer, ed. Singapore: A Country Study, Area Handbook Series - 2nd Edition (Washington D.C.: Federal Research Division, Library of Congress, 1991): 198.

[28] Ibid., 93.

circulating when they offend Singapore's politicians,[29] or restricting the ability of religious leaders to proselytize.[30]

Again, Lee's assumptions are not new. He advocated such ideas plainly early in both his political career and in Singapore's early development.

> Lee always gave an intellectual-pragmatic justification for his moves to eliminate democracy's irksome restrictions. This rested on two principal arguments: first, that long-term governmental stability was a prerequisite to progress and it did not pay to split hairs on the subtleties of how to achieve such stability; and second, that communists followed an unscrupulous book of rules which, once they attained power, knocked out opponents once and for all and it was only appropriate that a non-communist government should also play for keeps.[31]

Argument Four: *Rights are a matter of national sovereignty.*

If the first three arguments fail to convince those who contend East Asia should not judge human rights and democracy according to a separate standard, there is one other card that is played: human rights and democracy or the lack thereof, are a matter of national sovereignty. Besides, the West – usually meaning the United States - is hypocritical because it neither fully keeps that which it advocates for other countries, nor criticizes other countries impartially, nor intervenes simply on behalf of blind justice but rather only when its particular interests are at stake. For example, Allies such as Israel are less likely to be rebuked for their human rights violations, while Singapore will be

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[29] Kevin Hewison et al, Southeast Asia in the 1990s: Authoritarianism, Democracy, & Capitalism (St. Leonards: Allen & Unwyn Ltd., 1993): 91.

[30] Minchin, 372.

[31] George, Lee Kuan Yew's Singapore, 113.

chastised for caning an American teenager.

In addition, the presumed superiority of the West's view on human rights may be nothing more than an excuse to prevent other regions of the world from becoming more powerful economically. The professed concern over human rights violations is nothing more than a cover for erecting trade barriers to prevent developing countries from selling their wares in industrialized countries. According to this critique, the position of the West is at best colonial and hypocritical, at worst Machiavellian and cynical.

The suspicion that the United States in particular was engaging in trade wars under the guise of human rights became particularly acute after Bill Clinton became president in 1993. Unlike his predecessor, Clinton had no foreign policy experience, least of all in Asia, but the Democratic party did have a history of protectionism. Add to that the Clinton administration's initial idealistic and ill thought-out approach to foreign policy and it was almost inevitable that some East Asian political leaders would claim the United States was overstepping its turf. After all, officials within the administration warned of just such conclusions being drawn.

> In May [1994], Assistant Secretary of State for East Asian and Pacific Affairs Winston Lord confirmed rumors of serious internal policy differences via a widely circulated memo to the secretary of state. "With our Asia-Pacific partners more persuaded of our long-term engagement," Lord warned, "they are now beginning to resist the nature of that engagement. A series of American measures – threatened or employed – risk corroding our positive image in the region, giving ammunition to those charging we are an international nanny, if not a bully."[32]

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[32] Richard P. Cronin, "The United States and Asia in 1994," Asian Survey, Vol. XXXV, No. 1 (January 1995): 111-112.

Lee Kuan Yew, while supportive of the American military presence in Asia for geo-strategic reasons – the Americans are a counter-balance to possible Japanese or Chinese hegemony[33] – has always disdained what he considered their clumsy approach to East Asian diplomatic relations. However, he blames this not on malice but on the relatively short existence of the United States as a country when compared with East Asian countries such as China. Witness his comments in the early 1970s.

> By and large, the Administration lacks the depth and judgement and wisdom which comes out of an accumulation of knowledge of human beings and human situations over a long period of time. That is lacking and it is not their fault. What have they got? Three or four hundred years of history.[34]

Others are less kind, accusing the West in general of rank hypocrisy. The argument is that human rights abuses committed by friendly governments are typically ignored, while abuses by one's opponents are forcefully condemned, not to mention what is never investigated in one's own country.[35]

Kishore Mahbubani's arguments illustrate such a view. He alternates between admitting the recent American dominance of the world has been benign, and castigating the United States for what he argues is tunnel vision. Comparing what has been to what might have been had either Nazi Germany or Stalin's Russia won the World War Two, Mahbubani weighs in on the side of the Americans. Given the comparison though, he damns with faint praise. He argues the very benign nature of the domination blinds

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[33] Minchin, No Man Is An Island, 366.

[34] Alex Josey, Lee Kuan Yew – The Struggle for Singapore, (Sydney: Angus and Robertson, 1974), 317.

[35] Van Ness, "Adressing the Human Rights Issue..." 318.

Western policymakers to the possibility that their own words and deeds could lead to evil and not to good.[36]

Insofar as recent American policy and its effect on American credibility vis-à-vis human rights, Mahbubani repeats the oft-heard accusation that the West made a difficult situation worse for example by bombing Baghdad but not Belgrade.

> These double standards hurt. Bosnia has wreaked incalculable damage. The dramatic passivity of powerful European nations as genocide is committed on their doorstep has torn away the thin veil of moral authority that the West had spun around itself as a legacy of its recent benign era. Few can believe that the West would have remained equally passive if Muslim artillery shells had been raining down on Christian populations in Sarajevo or Srebrenica.[37]

In addition, Singapore's former UN ambassador points out the contradiction in the West's behaviour as regards China. In the 1970s, he argues the West was rarely critical despite the fact they were dealing with a regime that had produced atrocities matched only by Hitler, Stalin and later Pol Pot. Then, in 1989, under what he labels a more benign Deng Xiaoping regime, the West punished China for what by its historical standards was - in his words - "a minor crackdown; the Tiananmen incident." Mahbubani argues that the Chinese regime had no choice, Western public opinion was irrational, and that "Western policies lurch to and fro, threatening the otherwise smooth progress of East Asia." [38]

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[36] Kishore Mahbubani, "Dangers of Decadence - What The Rest Can Teach The West," Foreign Affairs, 72 No. 4 (September/October 1993): 10-12.

[37] Ibid., 12.

[38] Ibid., 13.

Chapter Two

Argument One – Rebuttal

The argument for a specifically Asian view of human rights and democracy rests on the assumption that East Asian nations are culturally significant to warrant a different interpretation of the two concepts. Lee Kuan Yew has spoken pointedly about his desire that Asians recapture their Confucian heritage and how he almost lost his through "deculturalization."

> A person who gets deculturalized - and I nearly was, so I know this danger - loses his self-confidence. He suffers from a sense of deprivation. For optimum performance a man must know himself and the world. He must know where he stands. I may speak the English language better than the Chinese language because I learnt language early in life. But I will never be an Englishman in a thousand generations and I have not got the Western value system inside; mine is an Eastern value system. Nevertheless I use Western concepts, Western words because I understand them. But I also have a different system in my mind[39]

It is worthwhile to examine the philosophical assumptions behind such a concern, and whether the drive to recapture one's own culture is a necessary endeavour. Anthony D. Smith lists the major components and consequences of cultural purification. He argues the rediscovery of an ethnic past and especially of a golden age serves as an inspiration for contemporary problems and needs. The past then becomes a good standard against which to measure the alleged failings of the present. After rediscovery comes authentication. This is the "sifting" phase – of discovering what is to be 'truly ours.' Following authentication comes the reappropriation of their heritage, whether it is authentic vernacular heritage or their genuine ethno-history.

> In this way, the culture of a designated population is purified of allegedly extraneous elements and created anew in a strictly vernacular mould. Individuals and movements which set great store by cultural purification and the creation of a vernacular type often turn against those whom they hold responsible for cultural assimilation and corruption.... In the modern world the old ideal of chosenness has been universalized through the specific doctrines of nationalism, which claims that every nation must possess an authentic identity, that is, have its own distinctive and original ethnic culture. A nation must possess its individuality, its peculiar history and destiny, and thereby reveal its unique contributions, its 'irreplaceable culture values', to the world.[40]

That these are precisely the assumptions of Lee Kuan Yew and Kishore Mahbubani among others is evident from their earlier comments. Of course, the problem is whether any group of people can 'go back' to a supposed golden age or a more culturally authentic age. The attempt by Japan to limit the influence of the outside world ended when they recognized such isolationism also had its costs as well as its benefits. A nation can, as Japan certainly tried, remain closed to the outside world for a period of time but modern technology makes this less possible than ever. Such technology, television for example, is not neutral. It brings with it exposure to other ideas. The same can be said for art or literature from another country or culture.

The history of the world is one where contact with other cultures inevitably changes one's own to some degree. It may have been easier to remain culturally unique or "pure" when trade in basic foodstuffs might be all that is required between one nation and another. However, the increase in world commerce has made it almost impossible not to have frequent contact with other cultures and nations. It is of course an assumption to

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[39] John Clammer, Singapore: Ideology, Society, Culture. (Singapore: Chopman Publishers, 1985): 22.
[40] Anthony D. Smith, "culture, community and territory: the politics of ethnicity and nationalism," International Affairs, 72 No. 3 (1996):451, 453.

begin with that one culture should *not* be unduly influenced, or changed, by another. European nations can hardly have said to be harmed culturally by adopting Arabic numerals as opposed to Roman ones.

Furthermore, even if one could argue it would be better for cultures to remain as culturally pure as possible, it is difficult to conceive how such isolationism could be accomplished. Usually, as in the case of Iran or North Korea, the effect is to impoverish that country's citizens. It is not at all clear that such poverty is worth the cultural uniqueness that may be preserved, albeit only somewhat longer than their neighbours that choose to engage in more open cultural, diplomatic, and financial dialogues with other countries and cultures.

In addition, the dismissal of an idea because of its source – its country of origin - is flawed. The acceptance or rejection of an idea, belief, or philosophy, ought not occur based on the territory from which it originated but on whether the idea is useful or helpful or right. If Singapore's leaders wish to reject Western definitions of human rights, they will have to do more than argue from location.

Furthermore, it is curious that Lee and Mahbubani argue against a Western interpretation of human rights or democracy based on the argument that Confucian culture renders such Western ideas unnecessary. If Confucian culture and the political communities that flow from it are impervious and possibly superior to Western ideas of human rights and representative government, then tightly controlling the flow of information into Singapore by restricting magazine circulation or satellite dishes is ipso facto unnecessary.

If Confucian-based or Confucian-influenced governments are truly superior, then it is probable that such systems will be attractive despite competition from other systems - Western democracy being the most obvious competitor at present. However, it is not entirely clear what a Confucian-based government actually *is* in practice. Singapore, Japan, the Republic of Korea, Taiwan, Thailand, Malaysia and the Philippines all have democratic legislatures, with some possessing strong executive branches or influential bureaucracies that can influence or, depending on one's view, subvert the legislatures to varying degrees. The arguments about the Confucian values and their supposed superiority to Western ones are largely relegated to the social aspects of East Asian life. The political debate is long settled. Most East Asian governments already practice democracy though the initial caveat at the beginning of the thesis about improvements to democratic practice and the treatment of opposition parties is still valid.

It is probably precisely because culture is fluid and subject to change, that Lee Kuan Yew will use whatever method necessary to preserve what he practices or beliefs he sees as necessarily Singaporean or East Asian. He consistently opposes badgering other countries about human rights or democracy, believing that countries will arrive at such concepts in their own time,[41] but sees no inconsistency in making the future happen in Singapore – requiring that Singapore's leaders be free from the slightest taint of corruption for example. Lee did not wait for such a concept to "arrive in its own time." As earlier noted, he retains no doubt about the necessity of interfering in people's lives

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[41] Karsten Prager, "Protecting the Future," Time, 4 March 1996 (world wide web.time/international/1996/960304/singapore.html) 4-5.

when necessary to achieve a desired good for the greater community.

Lee, Mahbubani, and others who argue for an interpretation of values through an Asian prism face opposition fire from many directions. "This whole debate on Asian human rights values is a red herring drawn up by authoritarian Asian leaders," argues Ravi Nair, executive director of New Delhi-based South Asia Human Rights Documentation Centre. "Anyone who says that human rights is a Western concept is ignorant of Asian mythology, folklore and history."[42] Peter R. Moody argues that the difference between the two cultures in this regard is essentially a matter of time.

> Traditional European values are not all that different from Confucian values. The premodern European view of politics was also moralistic, and European feudalism was as personalistic as anything in Confucian society... Europe and America, however, developed pluralism, the notion that there is a place for legitimate political conflict within a framework of constitutional consensus, respectful both of majority rule and minority rights. This requires at least some separation of politics from morality: some political questions must be seen as not involving ultimate matters of right or wrong....[43]

This argument need not go back 800 years. The political cultures of Germany, Japan, Spain, and Taiwan have all been transformed by democracy and a return to authoritarian leadership in any of those countries seems an unlikely possibility. Given its recent authoritarian past and the fact that it is an East Asian tiger, Taiwan is the best example of a country that has eclipsed arguments from culture and stability to move towards full democracy.

Taiwan has... successfully undergone a radical cultural transformation -- from the

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[42] "Individual supreme? Or country and community first?" Asiaweek, 31 October 1997 (world wide web.singapore-window.org/1031asia.htm) 1.

[43] Peter R. Moody, Political Opposition in Post-Confucian Society, (New York: Praeger, 1988): 10.

> agrarian mind to the capitalistic one, from collectivism to individualism, from monistic subordination to pluralistic coordination.[44]

Some may argue that it is premature to pronounce a decade-old democracy a success. Fair enough. However, given Taiwan's successful transformation, never mind other East Asian countries, the burden of proof lies on the shoulders of those who would argue such cultural transformations are impossible in East Asia.

Martin Lee, the head of Hong Kong's recently deposed Democratic Party, argues that cultural differences are not an excuse for a different standard on human rights. He specifically disputes the charge that democracy produces instability. "Just ask the Taiwanese, South Koreans, or Filipinos. Instead of being a disruptive force, elections and democratic reform have stabilized Hong Kong and provided a channel for the public to articulate concerns throughout the critical transition period."[45] Furthermore, Lee argues the campaign for "Asian values" is self-serving and political and that the existence of a different culture does not constitute an acceptable excuse for a different standard on torture for example.

> It is no accident that talk of Asian values arises only in the context of Asian leaders' attempting to justify authoritarian rule or seeking to deflect criticism of a domestic human rights situation. Certainly there are cultural differences between Asia and the West. But there is no difference whatever when it comes to basic human rights and elections. Like Americans, Hong Kong's people cherish democracy, the rule of law, press freedom and the institutions of civil society. Indeed, the desire for freedom is

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[44] Chu Chieh Huang, "Industry, Culture and Politics in the Transformation of Taiwan," in Culture, Politics and Economic Growth: Experiences in East Asia, ed. Richard Harvey Brown. (Williamsburg: College of William and Mary, 1994): 101.

[45] Maryine Lee, "Slow Squeeze on Hong Kong," Washington Post, 12 September 1997, (world wide web.singapore-window.org/0912post.htm) 2.

why so many of us –our parents – fled mainland China in the first place.[46]

South Korea's foreign minister also refuses to endorse the "Asian values" agenda put forth by politicians from Singapore and Malaysia. The spokesman for a country that is as Confucian as any in Southeast Asia (excluding the Christian segment) and where respect for authority still runs deep, argues that the "lack of economic development can never be used as an excuse for any abuse of human rights. History shows that special circumstances don't justify rights' abuses."[47]

As for the attempt to portray Japan as the forerunner in the "Asian values" campaign, nothing could be further from the truth. Of all the East Asian nations, Japan is probably most similar to the United States in that it has had democratic elections longer than any other East Asian country, albeit with some corruption. In addition, in 1993 Japan also threw out the party that had governed Japan for four decades. Their period in exile was brief, but it demonstrated that there are East Asian citizens that will vote for opposition parties in numbers large enough to change governments. As well, the standard of human rights that Japan adheres to within its borders post-1945 is demonstrably quite high though not exempt from criticism. (The refusal of Japan to give Japan-born Koreans citizenship is one such example. It can be argued though that similar to Germany, Japan considers citizenship a right based on ethnicity, not place of birth.)

That aside, when it comes to civil and political freedom, Japan is quite unlike

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[46] Ibid., 2.

[47] Jonathan Power, "A strange attempt to turn back the clock on human rights," Forum, www.transnational.org/forum/power/pow06-8.htm) 1.

Singapore. There are no restrictions on the press for example, though the Japanese press is, for the most part, notoriously uncritical. Self-censorship is unhealthy for the body politic but such self-censorship exists in all countries to one degree or another. Reporters who are anxious to preserve their access to senior politicians will temper their reporting. It will take the backing of a large news organization and personal courage to pursue stories more vigorously to change the culture of deference that currently exists within the Japanese media. In any case, and this is where the cultural arguments are valid, the attitude of the Japanese media is somewhat the result of cultural conditioning. The important point is that unlike Singapore, Japan has not banned domestic or foreign newspapers and magazines. Also unlike Singapore, there is no harassment of opposition politicians by the government.

Also unlike Singapore, Japan does not interfere in the private lives of its citizens to the degree that Singapore does. Japan is far more minimalist. Former South Korean presidential candidate Kim Dae Jung disputes Lee Kuan yew's contention that East Asia is different because of the minimalist intervention by the state. He argues that the way Singapore is run is hardly proof of such an assertion.

> It is not true, as Lee alleges, that Asian governments shy away from intervening in private matters and taking on all of society's problems. Asian governments intrude much more than Western governments into the daily affairs of individuals and families.... In Lee's Singapore, the government stringently regulates individuals' actions - such as chewing bubble-gum, spitting, smoking, littering, and so on - to an Orwellian extreme of social engineering. Such facts fly in the face of his assertion that East Asia's governments are minimalist.[48]

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[48] Kim Dae Jung, "Is Culture Destiny? A Response to Lee Kuan Yew," Foreign Affairs 73, No. 6 (November/December 1994): 190.

Japan may not agree with the United States on how best to pressure other Asian countries into respecting human rights or how to encourage democracy but that is a question of foreign policy, and in Japan's case, of a certain amount of realpolitik. Japan has legitimate security concerns in East Asia and no country can conduct its foreign policy solely on human rights issues even if it so desired. However, within its borders, one would be hard-pressed to argue that there exists a "different" standard of human rights or significant opposition to democracy. More importantly, the Japanese still retain a constitution written for them over fifty years ago by an occupying power. Japan is hardly a country that is hypersensitive to "Western values." In short, it is a mistake to portray Japan as a nation that fosters a particularly Asian standard of human rights and democracy. It does nothing of the sort.

One can argue then that other East Asian nations will take longer to accept Western norms in the area of human rights and justice. It is a stretch to argue that other East Asian countries should follow in Japan's path because that country has been a trailblazer for "Asian values." It has not and is not. Japan being Japan, has adopted not only Western technology and in many cases improved it, but has also adopted Western norms in the area of human rights and democracy. Yet there has been no successful attempt to fundamentally change such definitions.

Mahbubani's arguments do not point to any evidence of a specific East Asian identity or a value system that can be used to define democracy and human rights differently. His evidence proves only that cultural influences within Japan remain quite

strong - the sense of community for example. But the informal, tight-knit sense of community that exists at all levels of Japanese society has not brought about a legal code that gives clear evidence of a uniquely Japanese or Asian perspective on human rights and democracy. Japan has managed to accomplish a transfer of both Western technology and ideas without, as Kishore Mahbubani points out, losing what it means to 'be' Japanese, at least insofar as other Asians such as Kishore Mahbubani can observe.

The claim by Yoichi Funabashi that East Asian distinctiveness can be seen in a number of ways – economic development premised on political stability, emphasis on education, infrastructure, agriculture, light industry and exports, democratization muffled and deferred to suit the progress of economic development – is similarly flawed. Economic development can rarely be premised on anything *but* political stability. High-risk locales, be they Bosnia in 1993, Berlin in 1945, or Saigon in 1972, do not attract significant investment. Political instability discourages investment regardless of nation or culture.

The emphasis on education is also not distinctively Asian. Some East Asian countries certainly seem able to impart the basics to their schoolchildren more concretely than do some Western countries. (Schoolchildren from Singapore, Japan and South Korea all score higher than Canadian schoolchildren in mathematics and science for example.)[49] However, East Asians still send their children to sought-after universities in the United States and the United Kingdom as opposed to a reverse flow from those countries to East Asia. Given the mixed grades on education then, it can hardly be considered to be a

distinctive feature of East Asia. As for infrastructure, agriculture, light industry and exports, such words describe Canada, the United States, Chile, and Sweden among others.

In fact, the only characteristic given that may be culturally distinctive of East Asia is the muffling of democracy to suit the progress of economic development. That such muffling occurs – and whether it is necessary - is precisely the point. But even on this characteristic, East Asian countries cannot be said to have a monopoly. Chile under General Pinochet followed the much the same path as Singapore with similar results though Chile is not yet considered a developed country.

It appears that where the cultural arguments may make a difference for example is in the personal application of the work ethic, or the tendency to save, which might explain part of the difference between Chile and Singapore's comparative economic development. Culture can explain why certain countries are more successful or proficient in some areas. But there is a vast difference between using culture to explain a particular development, and using culture to argue certain principles can be interpreted differently. Culture may explain why women in Saudi Arabia must wear veils and cannot drive, but that is not the same as a justification.

To argue that human rights can be interpreted or defined differently, one must present an argument as to why that should be so. The talk about culture is merely descriptive. It describes what is. To argue that some rights are not applicable to one's own country based on culture, one must argue those rights – any rights – are not

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[49] Jennifer Lewington , "Alberta, B.C. strong in math test," The Globe and Mail, 21 November 1996. A1.

fundamental but morally relative. If one does make that argument however, then one is caught in a philosophical trap. There is no reason to assume that culture, also an intangible, cannot be subject to the same critique. So much for the superiority of culture over Western definitions of human rights if one is prepared to admit that much.

The argument from culture is convenient since it can be used to justify, for example, the occasional ban on *The Economist* in Singapore whenever it prints an article critical of Singapore's mandarins. Such actions, while mild in comparison to regimes that practice torture and do not allow an independent judiciary and parliament, still damage freedom of the press.

Besides, such actions set a dangerous precedent for countries that do not respect the rule of law in other areas and with whom Singapore enjoys the position of being the smarter, younger and more successful sibling - its relationship with China being the key example. Given the brutal history of dealing with dissent in East Asia, it is not wise for some of the smallest and militarily weakest governments in East Asia to subscribe to relativistic notions of human rights. Such governments may rue such present-day academic theorizing should Asia not remain free from war. It is also doubtful East Asian politicians would agree that the torturing of East Asian prisoners by the Japanese in World War Two could be justified on the grounds of different cultural norms.

The arguments that attempt to enlist East Asian culture as a mysterious force that is naturally immune to representative government and a robust definition of human rights are little different from the arguments that have occurred in Western, and even East Asian countries as they moved towards full suffrage. It is difficult to argue that any country is

naturally suited to democracy if one chooses to go back far enough. 800 years ago, neither France nor England were naturally "suited" to democracy or a twentieth-century interpretation of human rights. Whether one wishes to examine the monarchy, nobility, or the influence of the church, the hierarchical structure was no more naturally amenable to representative government than Confucianism. It took the invention of the printing press, the Reformation, the Renaissance, a revival of classical Greek and Roman thought, scientific advancement, trade, and often war - to name but a few influences - to transform rigid undemocratic countries and states into entities that were "suited" to democracy. The civil and political rights now taken for granted by many, including a growing number of East Asians, were not "natural" in that sense to any country.

Granted that the process is varied. 200 years ago, neither Prussia nor Italy were democracies. Both countries had short-lived experiments with democracy earlier this century that were then cut short by dictatorships. In East Asia, neither Taiwan nor South Korea had any substantive experience with democracy or a robust and legally enforceable definition of human rights as little as thirty years ago. However, the difference in either the length of time a country takes to form democratic institutions, or even a brief reversion to authoritarianism, is not a convincing argument that most countries in East Asia cannot become and remain democracies.

It is also not persuasive to argue an elite leadership is in possession of political wisdom unavailable to the masses. It is patronizing of those in power in East Asia to say to those whom they rule, that the rulers know best. This has some currency now in East Asia due partly to nationalistic sentiment. It remains to be seen whether such confidence

will continue given the region's very recent economic troubles. Thomas Carothers argues such continuance is unlikely since such political rhetoric eventually lost its power in other regions where it has been promulgated.

> The idea of "Asian-style democracy" - rule by a dominant, corporatist party that tolerates a limited opposition but never cedes power - does have some credence in East Asia. In general, though, the notion fashionable in the 1970s that democracy would branch out into a range of fundamentally different forms - socialist democracy, African democracy, Arab democracy, Latin American democracy, and others - has lost much credibility. Telling a young politically active Latin American or East European that "of course your country doesn't want Western-style democracy; I know you want to find your own special path based on your own national traditions" is effectively an insult.[50]

The patronizing attitude of the leadership in East Asia will continue only so long as leaders in such countries are able to point to a continual improvement in both living conditions and wages. Given the poverty which many in the region remember, it is not surprising that political rights would take a back seat to economic concerns and a general feeling of satisfaction with the progress one's country has made thus far. Should that sense of progress stall, as it now has in most of East Asia due to the stock market and banking crises, the supposed political invulnerability may well crack. That is unlikely to lead to revolution but it may lead to dissatisfaction and opposition. Such is the beginning of a more robust commitment to democratic practice.

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[50] Thomas Carothers, "Democracy," Foreign Policy, No. 107 (Summer 1997): 11-12.

Argument Two – Rebuttal

The worst example of generalizations taken to explain and justify "Asian values" comes from Richard Halloran. It is here where arguments one and two - values are culturally specific and East Asia values the community over the individual – combine. To review, Halloran argues Westerners – especially Americans - are governed by law and contract, Asians by custom and personal relations. Decisions are made in the West by voting whereas Asians decide by consensus. Westerners tend to be logical and analytical, Asians more intuitive and sometimes more emotional. Westerners assert rights, Asians respond to obligations. What that actually means in terms of everyday political practice however is unclear. Such claims are another example of the Asia-is-different argument where entire political positions seem to rest on these vague but seemingly significant differences.

It is true that traditional Japanese *culture* places a great emphasis on gift giving for example. One could theorize that the practice of, for lack of a better word - bribes - between large Japanese conglomerates and political officials or bureaucrats, is nothing more than an extension of the gift-giving culture. One is simply expressing gratitude towards those who have been helpful. That the line between giving gifts in the East-Asian context and bribery is not clear and that it is culturally based is a wholly legitimate argument. The question is whether the vagueness of such an obligation in the political realm is healthy for a society that intends to respect the rule of law and not a vague notion of personal obligation. Judging by the attempt to reign in such gift-giving/bribery at the

highest levels in Japan, it would appear the average Japanese will not let cultural arguments excuse what they now judge to be unacceptable behaviour. The Japanese may still retain affection for gift giving on a personal level, but that does not mean they care to have politicians and businesses trading favours. This is especially the case where such behaviour may skew political behaviour and the awarding of contracts.

Insofar as the law is concerned, rights and obligations and the difference between them must necessarily be clear. In the end, the argument that Asians respond more to obligations relatively more than Americans is true. But Halloran does not make the connection to a philosophy of politics. That Americans may sue each other in court more than Asians is true. That such an observation is somehow an argument for less democracy or a different standard on human rights is a non-sequiteur.

As to the argument that decisions are made by consensus in Asia, whereas Westerners decide by voting, the logic once again falls apart upon a rudimentary examination. The existence of the vote in Japan, Thailand, South Korea, the Philippines, Singapore, Indonesia, and Taiwan hardly removes decision-making by consensus at any level of society, including the political level. It simply determines who will be sitting at the decision-making table. On that note, one could argue decisions are made far more often by consensus in the United States. There, a President must deal with two branches of Congress. Contrast that with Singapore where, once elected, top-level officials have far more in the way of concentrated power. In addition, it cannot be seriously argued that the oligarchy in Beijing practices a more consensual form of government, and is thus more Asian, than their Taiwanese cousins who elect their own president and legislature. The

decision to practice consensus-style decision making is about how to decide the outcome of a particular policy question among the participants at the table. The method by which people reach the table – through dictatorship or democracy – is a separate issue. Consensus-style decision making and democracy are not opposites. Both can co-exist.

Furthermore, as Aryeh Neier points out, it is difficult to claim that "consensus" has been reached when the methods to find a consensus do not exist.

> One wonders how it is possible to build a consensus unless the participants are permitted to engage in the free exchange of information, insights, and ideas, thus gradually modifying their views as they are exposed to alternative considerations and eventually arriving at a consensus. A consensus implies a process in which all may participate, it is not a dogma handed down from above to which all must pay obeisance.[51]

As for law and contract – Singapore, Hong Kong, Japan, Taiwan, and South Korea all have fairly extensive and rigorous legal systems, which have allowed them all - especially Hong Kong - to thrive. True, personal relationships are more important in East Asia than in North America - Japanese companies will not switch to a lower-cost supplier on matters of price alone for example. However, the adherence to the rule of law in Japan, Singapore and Hong Kong points to the importance of contract and law and is surely at least as responsible for the success of those states than a tightly-knit personal network. After all, the cultural bias towards valuing personal relationships in business transactions over the lowest bid existed when both East Asia was still economically destitute. As Michael Davis argues (before Beijing reclaimed Hong Kong) with regards to the rule of

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[51] Aryeh Neier, "Asian Values vs. Human Rights," FDL-AP Archives (web.kyoto-net.or.jp/org/bigkarma/fdlap/fdessay2.html) 1.

law and the potential for economic and personal freedom, the Hong Kong Bill of Rights illustrates the potential for success in an Asian community. "Hong Kong has one of the more effective, if not the most effective, bill of rights in Asia. The Hong Kong Bill of Rights ... is modelled almost verbatim on the International Covenant on Civil and Political Rights."[52]

In addition, while it can be argued that democracy and the Hong Kong Bill of Rights were late additions (1991)[53] to Hong Kong before the turnover, it cannot be denied that the past stability of Hong Kong was linked to the fact that it had a democratic country committed to the rule of law backing it up. Further, Hong Kong's adherence to the rule of law made it less than desirable for most people to enter politics. When the basic civil and political freedoms are given, there is little motivation to agitate for change. As for Singapore, Lee Kuan Yew has always pointed to the rule of law as one of the pre-conditions for Singapore's stability and economic success.[54]

The most serious criticism seems to be the argument for community to reign supreme over the individual. On this point, Lee is perhaps the most consistent and compelling of the Asian critics, yet his criticisms are often not directed towards Western democracy per se, as much as Western and in particular – American - culture. Yet his critical view of American culture and its emphasis on individualism is not substantially

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[52] Michael C. Davis, "Chinese Perspectives on Human Rights," Human Rights and Chinese Values, (Hong Kong: Oxford University Press, 1995) 20.

[53] Michael C. Davis, "Adopting International Standards of Human Rights in Hong Kong," Human Rights and Chinese Values, (Hong Kong: Oxford University Press, 1995) 175.

[54] Zakaria, "Culture Is Destiny..." 125.

different from many critical analyses that originate within the West itself.[55] They are as old as the Industrial Revolution that brought about a shift from largely rural-based communities to urban ones. The accompanying erosion of ties, both familial and civic, has produced a plethora of analysis on the advantages and disadvantages of such.

One example is the "family values" debate which was given new life by then-U.S. Vice-President Dan Quayle in 1990, and later taken up by Barbara Dafoe-Whitehead in an *Atlantic Monthly* article several years later.[56] The author argued, against much of the popular opinion at the time, that evidence from social-science research showed the dissolution of the two-parent family through divorce could have harmful consequences, both for children and for society. Whether one agrees with Whitehead or Quayle is secondary. It is fair to say Dafoe-Whitehead's article helped change the nature of public discussion in the West about the family and the consequences of marital breakdown. The point is that the criticisms of the weaknesses of the Western family as enunciated by Lee Kuan Yew are not new. The debate was already taking place in the West itself. Individualism has, or should have its limits. That much is acknowledged by most people in the West, ranging from communitarian critics of laissez-faire liberalism[57] to social conservatives who argue extreme individualism is unhealthy for the social mores of a community.

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[55] For one of many examples, see James Q. Wilson, The Moral Sense, (New York: The Free Press, 1993).

[56] Barbara Dafoe-Whitehead, "Dan Quayle Was Right," Atlantic Monthly, April 1993, 47-84.

[57] Amitai Etzioni, qtd. in Kernial Singh Sandhu, Management of Success – The Moulding of Modern Singapore, (Boulder: Westview Press, 1989): 118-119.

In addition, Lee's criticism of a legal system that interprets the law as to give criminals more rights than some argue they are entitled to under the constitution has been an ongoing debate within the United States for almost four decades. Conservative critics of the U.S. Supreme Court have long argued that the high court was indulging in judicial activism.

Nothing Lee says provides a reason as to why a different standard of human rights or less democracy in East Asia would prevent the same erosion of decency or family that he observes in the West. The amount of individualism that allows for divorce already exists in Singapore for example. Unless he is prepared to argue against legal divorce, the criticism as regards civic and political freedoms that exist in the United States are not at all related to his stated concern for the preservation of the family.

In any case, Lee's argument, which I contend is mainly a cultural and not a political one, is not a new critique of the West. Aleksandr Solzhenitsyn made much the same argument - the West's emphasis on individualism was corroding morality and community - in his Harvard address in 1978.

> The defense of individual rights has reached such extremes as to make society as a whole defenseless against certain individuals.... Destructive and irresponsible freedom has been granted boundless space. Society has turned out to have scarce defense against the abyss of human decadence, for example against the misuse of liberty for moral violence against young people, such as motion pictures full of pornography, crime, and horror.[58]

Nineteen years later and spoken through the voice of an Asian statesman and ally, the same criticisms provoke far less bellicosity precisely because they are now nothing

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[58] Ronald Berman, ed. Solzhenitsyn At Harvard, (London: National Book Network. 1980), 7-9.

new and accepted as obvious by many Westerners. That his criticisms are not new does not detract from either the seriousness of the claim, nor the current relevance. However, the claim that there is a fundamental difference between East and West as regards the concern over family breakdown and societal decay is a vast overstatement. The point is that while Lee's criticisms are certainly valid though not new, the gap between East and West, insofar as criticism of the cultural excesses of individualism in the West are concerned, are not as large as Lee purports that they are.

The points made by Halloran, Lee and Mahbubani as regards the supremacy of the community over the individual in East Asia beg an obvious question: Which community exactly is it that reigns supreme over the individual? Family, state, or otherwise? The "Asian values" campaigners are not specific on this matter.

Lee's comments in particular point to the troubling elasticity of the words sometimes used by those who argue there is a vast gulf that separates Western and East Asian notions of the individual and of the community. At times, Lee and Mahbubani use the word "community" to mean the state, and thus justify a circumscribed view of individual rights. The community is more important than the individual. Thus, when the community is defined as the state, individuals come second, especially when they are antagonistic to the governing party. In other passages, it is the family and the individual within that family that appear to reign supreme. They are at least the basic building block of a society, which is another way of saying that the family and the individual within that family must logically be protected from an invasive state presence lest that building block be weakened. The community at large, and especially the state then, are deemed as less

important. Lee says the family is the basic building block of society. Western politicians say much the same thing. The gaping difference between East and West turns out to be less vast than is sometimes argued.

In contrast to Lee, Daniel Bell points to democracy and its effect on community as reasons *for* greater democracy and human rights. He theorizes that democracy could be a bulwark against state attempts to co-opt the family for example, and that contrary to Lee Kuan Yew's fears that more democracy would undermine the family, it need not necessarily lead to an erosion of family life.

> In fact, the democratic system is perfectly compatible with active 'pro-family' governmental policies, so long as it's not a liberal government operating according to a political principle of state neutrality that rules out measures justified on the grounds that family life is an especially worthy form of life.[59]

In other words, if the politicians in Singapore wish to continue to enact measures they believe would strengthen the family, they could do so quite well in a robust democracy. Further, he argues that contrary to what some East Asian political leaders imply, there is no straight line between stable families and sufficient attachment to the overall political community. Thus he argues that free and competitive elections for political power, including the right to run for opposition parties without fear of retaliation, "would do more to promote a sense of attachment to the community than [Singapore's] ineffectual courtesy campaigns."[60]

The argument for tying democracy to community is one of the strongest offered.

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[59] Ibid., 37-38.

[60] Ibid., 38-39.

There is no reason why, for example, Singapore cannot continue to require drug users to enter a treatment program for their addiction, or why Singapore cannot continue to have a circumscribed view of what is acceptable civil behaviour. If Singaporeans want to heavily fine littering and harshly punish those who vandalize cars, such policies are best supported when enacted by a democratic legislature. It is unlikely, given the examples of extreme individualism that currently exist in the West, that Singapore's citizens or those of any other East Asian nation would care to repeat what they see the mistakes of some Western countries with regards to such issues. Assuming the critiques are right vis-à-vis crime, it would be unlikely that Singaporeans would opt to overly restrict the ability of police to conduct an investigation for example.

As worthwhile as linking democracy to community is however, it must be remembered that East Asia has never suffered from an attachment to extreme individualism. Such an attachment has never existed. The danger in East Asia is the bloodshed that has resulted largely from concentrated and authoritarian power, whether in Japan, China, Vietnam, South Korea, North Korea, Taiwan, Burma, Indonesia, or Cambodia. If tying democracy and community together helps overcome the initial political hesitation so much the better, but East Asia has never suffered from an excess of individualism to this point. It has suffered from the absence of strong critiques that might have modified policies headed towards disaster.

There is a further contradiction within Lee's own arguments about "Asian values" and the value that is placed on the community over and above that of individualism. If Western ideas about individualism, human rights, and democracy are truly not superior to

what some argue are Confucian-based ideas about such subjects – and their ability to prevent social decline - then the concerns enunciated by Lee are unnecessary. At the very least, his arguments reveal he retains some doubt as to the long-term validity of his argument that there is an unbridgeable gulf between East and West. People do not argue about that which they do not believe has any real power to change minds.

The same can be said for the arguments as regards the family. If Confucian culture, and the societies that are so influenced, place a high emphasis on family or even the community over the individual, then such an attitude will continue in Singapore and the rest of East Asia quite apart from any outside influences. That makes an over-protective state unnecessary. The strength of the Confucian-influenced family unit contains its own immune system within it, an immune system that would successfully resist the corrupting outside influences of Western individualism with or without state help.

If this is not the case, if Lee and Mahbubani admit that Western individualism is an attractive and possibly beguiling temptation for East Asians, as they do by the way Singapore is run, then their argument for the marked difference of East Asian culture begins to fall apart. If East Asians are attracted to individualistic thought that may lead them to oppose current governments, then Confucian culture is indeed flexible enough as to change when it comes into contact with other ideas. Further, if individual East Asians can be attracted to a more individualistic notion of human rights and democracy, then it may be argued that their governments are also susceptible to such tendencies or a reaction in the other direction. It appears that a move towards either democracy or

authoritarianism if either is seen as necessary or desirable, can be cloaked in the rhetoric about the higher good of the community being protected, and thus in line with Confucian values. What Confucian values are prominent will depend on who is talking and what system of government they are defending.

As for the main object of the East being a well-ordered society, it is hard to conceive of any politician or social theorist, except perhaps for an anarchist, arguing anything different for a Western country. Lee is re-stating the obvious when he contends that freedom can only exist in an ordered state and not in a state of anarchy. The Western emphasis on the rule of law has long existed precisely for this very reason.

Stability is less likely to be endangered in East Asia by democracy than its sceptics care to admit. Those who argue democracy would rip apart a fragile China at this point are overly concerned, given that the Chinese public's reaction to the Tiananmen crackdown was almost non-existent. As well, the democratic habits of voters in both Taiwan and Singapore provide additional contradictory evidence. Chinese civilizations there have not imploded as a result of obtaining the right to vote. Democracy and improved human rights in those two countries have not led to inflamed revolutionary sentiment, otherwise described as "instability" in the lexicon of some East Asian leaders.

Furthermore, the limited experiments with local democracy at the local level in China (where 90% of village leaders are chosen in popular elections according to one perhaps optimistic estimate[61]) do not seem thus far to have propelled the Middle Kingdom into revolutionary civil war. In addition, those that argue democracy would

cause a revolution must answer the question of why democratic rights would harm a country where it seems that most people are more concerned about their economic future as opposed to the country's political future. If Chinese citizens are not rioting in the streets given the present authoritarian government, it is a stretch to argue that such political apathy would change if China were to somehow transform itself into a democracy. Why would the average Chinese citizen be more likely to foment civil disobedience under a democratic government as opposed to an authoritarian regime - especially if the democratic government continued the growth-oriented economic policies now in place?

If Hong Kong is to be considered in this analysis, surely the former colony is an example of an orderly Chinese polis that cares somewhat less for democracy, somewhat more for stability and prosperity, and eager to lose none of the three if at all possible. Why would the Chinese of mainland China act any different in this regard? Is it to be assumed a priori that democratic sentiment there would necessarily lead to a wholesale rejection of the reforms that have brought the current and growing prosperity? Neither the Chinese leadership nor Lee Kuan Yew provides reasons as to why this pessimistic scenario should be the case. In the absence of such arguments, the examples of the other largely Chinese cities and states provide arguments for increasing democratic participation, not the opposite.

Daniel Bell and Kanishka Jayasuriya illustrate the concern, arguing the history of Asia calls for some caution when moving to democracy. They argue East Asian middle

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[61] Todd Crowell and David Hsien, "People Power," Asiaweek, 18 October 1996, 31.

classes may find the journey to democracy less smooth because of dependence on a more paternalistic state. They argue that liberal capitalism in the West nurtured an entrepreneurial middle class, whereas statist economic paternalism in East Asia has produced a middle class much more state-dependent and anxiety prone,[62] thus they are unlikely to be as independent politically or willing to challenge the status quo.

> Political elites have been adept at utilizing these middle class concerns to demand political acquiescence. The 'iron cage' in East Asia, far from being a prison, provide a source of stability and security. Indeed, there are two interpretations of the iron cage metaphor: in the 'iron cage as prison' model, more typical of the West, politics is about the limitation and regulation of bureaucratic and state power; whereas in the 'iron cage as security' model, predominant in East Asia, politics is about the management and effective organization of state power. The latter interpretation suggests that 'democratization' in an Asian context is primarily about problem solving rather than the accommodation of a plurality of interests.[63]

Continuing along a similar vein, David Brown and David Martin Jones argue the role played by the East Asian middle class is a problematic one, finding that initial middle class support for reform in Taiwan and South Korea for example, levelled off after the ruling regime committed itself to democratization.[64] Their thesis is that much of the middle class in East and Southeast Asia see political development as a problem to be managed - they desire democracy *and* order. The point of the Brown and Jones argument however, is not, as Lee Kuan Yew would argue, that robust democracy will lead to

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[62] Ibid., 13.

[63] Ibid., 13.

[64] David Brown and David Martin Jones, "Democratization and the Myth of the Liberalizing Middle Classes," Towards Illiberal Democracy in Pacific Asia, (New York: St. Martin's Press, 1995), 79.

instability. Rather, they contend that the very lack of democracy in the case of some states or "bottled-up" democracy in others, will eventually provoke a crisis that leaves the stability of a region in doubt.

This results in part because of the Confucian emphasis on virtue in political leadership, and the current tendency of some in East Asia to see any opposition then as a moral challenge to their virtue, not as a political challenge to their position or method of governance. Using South Korea as an example, they point to the inflexibility and danger in such a stance.

> The strident norms of social and political conformity are shaped, in large measure, by Confucian beliefs and values that have influenced Korea's past. Moreover, this group conformity values an inflexible moral stance. Since all political leadership necessarily entails moral virtue, any opposition to the ruler is phrased in a non-negotiable moral challenge. This leads to conflict conducted in terms of moral absolutes, rather than to negotiation, political disagreement and argumentative compromise. The lack of a bargaining culture rigidifies political cleavages and often leads to an irreconcilable polarization.[65]

They argue it is better then to promote both order *and* democracy. To portray the two concepts as antithetical is to set up a false dichotomy in their view. The way out of the dilemma for South Korea, a country that they argue is "more Confucian than the Chinese" in its devotion to authority, is for the middle classes to combine this inflexibility on matters of principle, called ch'ijo in Korean, with new patrons who can resolve their problems. In so doing, they will, as they are already doing to some extent, set up a "democratic tension" of sorts.

A form of democracy where plural political groupings form on the basis of

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[65] Ibid., 99.

> personalist factions rather than as issue-oriented parties and where political disagreement takes the form of confrontation rather than debate.... This may not result in a particularly stable or effective form of democratic politics, but the tension between a ch'ijo middle class and democratic procedures is probably no more fundamental than the tension between liberal individualism and democratic majoritarianism in the West.[66]

In the end, the demonstrative refusal of the Asian middle class to radicalize is a rebuke to those who argue instability would follow democracy. The middle classes of Taiwan and Korea, never mind Singapore and Japan, have not shown a desire to explode the gains realized in Asia over the last 30 years by voting for opportunistic revolutionaries.

As opposed to arguing that democracy should simply not be encouraged in East Asia, or "defined differently" as some would have it, it may be argued that reforms in East Asia should be slowly implemented and from the inside to avoid political convulsions. The examples of Taiwan and South Korea, where reform originated within the ruling regime can be given as a justification for such arguments. It should be remembered though that there was also a large amount of pressure coming from outside the governments in question, including diplomatic pressure from the United States in the mid-1980s in South Korea and a loss of United Nations recognition for Taiwan in 1979.[67] Yet the governments did reform and as a result were not toppled by revolutions. The Philippines (the revolution that ousted Ferdinand Marcos) is the notable exception to this trend in East Asia. Singapore, a functioning if not a robust democracy, is stable and

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[66] Ibid., 99-100.

[67] Brown and Jones, "Democratization and the Myth of the Liberalizing Middle Classes," 34-37.

prosperous in part and in good measure because it did not wholly reject its colonial past. The embracing of English concepts, the rule of law in particular, has made it an oasis of stability for investment and business. The same argument can also be made for Hong Kong.

If there is an argument for a slow but steady move to Western-inspired democracy in Asia, as opposed to revolutionary change that might not end peacefully, the examples of South Korea, Taiwan, and Singapore are as good as any. That argument though does not support the theory that more democracy would destabilize East Asia. It is hard to imagine how democratic governments in East Asia could destabilize the region more than current and past authoritarian governments have done. No democratic state in Asia has ever murdered their own citizens on as large a scale as has been the case in Cambodia and China. Democratic states in East Asia are not perfect, but they are certainly not genocidal.

Argument Three: Rebuttal

The core of the dispute over the proper interpretation of human rights and democracy is not a result of mere cultural misunderstandings or political agendas, though these may intensify the debate. In addition, instrumental arguments and attempts to point out the eventual benefits of democracy and human rights will not change the political assumptions of an East Asian authoritarian overnight. Furthermore, the debate about whether it should be civil and political rights that take priority or economic and social rights is primarily the result of an historical problem, not a recent East Asian-created one.

An attempt must first be made to sort through the conflicting claims as to what constitutes a "right." This is not primarily a political question. It is a philosophical one. Can diverse cultures, nations, and political interests agree on a basic framework for what human beings - irrespective of their locale - ought to enjoy as rights? In short, is any value universal?

Currently, there is a malaise in confronting such a point, given the self-doubt inherent in Western philosophy that, at least theoretically, values openness and tolerance. There is also reluctance on the part of non-Westerners to acknowledge that, for example, while colonialism was offensive in many respects, that acknowledgement should not rule out the possibility that certain ideas, native or not, are in and of themselves useful and true.

This is due in part to United Nations documents, already agreed to by much of the world community, that give far too much room to authoritarian countries. While the United Nations did not create the problem, the resolutions agreed upon certainly codified the dispute and are a visible example of the arguments that already existed.

Before the particular problems of wording are examined, it is helpful to remember why the Universal Declaration came about. One reason, particularly important in the wake of World War Two and the Holocaust, was to set a standard after one of the bloodier periods in human history. The preamble identifies a belief in both a universal conscience and in the universal concept of fundamental human rights.

Whereas disregard and contempt for human rights have resulted in barbarous acts

> which have outraged the conscience of mankind…Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights...[68]

Countries that participate in the United Nations then betray the obvious belief that there are basic standards to which nations can agree on and to which they can be held accountable. To do otherwise would dismiss what little authority the United Nations may possess - a moral authority based on the belief there are at least some absolutes on which all decent peoples can agree. As for the Declaration itself, Article 1 states that "all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."[69]

That there is a stated belief in the universality of human rights is clear. Unfortunately, there is the problem created by the original Declaration of what a "right" is. The political attempt to equate what are more properly called privileges with actual rights is the result of the philosophical confusion. If the United Nations had simply satisfied itself with concentrating on key enforceable standards - the abolition of torture, the right to vote, the right to religious freedom, freedom of the press - then part of the current confusion over what constitutes a right could have been avoided.

Instead, the United Nations included a wish-list of particular items that no particular government can or should guarantee: Article 24 - Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay. Article 25 - The right to a standard of living adequate for the health and well-being

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[68] United Nations, Department Of Social Affairs, The Impact of the Universal Declaration of Human Rights, New York, 1951, 36.

of himself and of his family, including food. Article 27 - The right to freely participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits. Article 28 - Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realised.[70]

The problem is not the worthiness of these particular goals for an individual, but that to put them on the level of a state-guaranteed right equates what cannot and should not be guaranteed with actual political and civil freedoms which are largely enforceable. The right to vote, freedom of the press, the abolition of torture, may all be difficult to implement depending on the degree of control a particular government has over its country and its armed forces but they are within the realm of possibility. In contrast, how and why should any government attempt to guarantee an individual's "right" to share in scientific advancement, or the "right" to enjoy the arts?

Furthermore, by equating Article 18 (the right to freedom of thought, conscience and religion) with Article 27 - the right to participate in the cultural life of the community, the United Nations unwittingly aids those who would argue that their nation, while short of the mark on some rights, fulfills the United Nations requirements in other areas. Such justifications are then given when civil rights are conveniently denied. The consequence is that the world community becomes partially dumb when met with such arguments from despots whose concern for important civil and political rights is non-

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[69] Ibid., 37.

[70] Ibid., 40-41.

existent. As Arthur Schlesinger has observed: "the Universal Declaration of Human Rights includes both 'civil and political' rights and 'economic, social, and cultural rights,' the second category designed to please the states that denied their subjects the first."[71] Thus, the example of Cuba where free health care is the equivalent and substitute of the most crucial civil and political rights.

The philosophical muddle has lead to real-world political and legal thickets where governments are free to widely define human rights, with little thought given to where such moral vapidity must necessarily lead. George Weigel summarizes the end result.

> Also coming home to roost today are the intellectual and political errors of the 1948 Declaration, and the gross overreaching of the human-rights establishment within the UN system in the years since. By listing the vast number of social goods as "human rights," the Universal Declaration helped set the foundation on which many of the new critiques now rest. Or, to get down to specific cases: when the Universal Declaration put the "right" to "periodic holidays with pay" on a legal plane with the fundamental human right of religious freedom, it blunted the moral cutting edge that the assertion of inalienability has had since the days of Thomas Jefferson. Moreover, the endless piling-up of lists of "rights" that followed the Universal Declaration…invited the suspicion that, if everything was a "human right," then nothing was, in fact, a human right in any serious sense.[72]

Along with entrenching the justifications given autocracies in Beijing, Hanoi and in other parts of Asia, this intellectual muddle as regards human rights will only serve to prolong the transition to democracy as well as a commitment to political and civil rights. As a result, the argument that certain human rights perspectives – especially that the original Declaration on Human Rights was a result of narrow Western-based historical

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[71] William McGurn, "The Wrong Rights," National Review, 22 November 1994, 46.

[72] George Weigel, "Are Human Rights Still Universal?" Commentary, February 1995, 43.

biases will probably be heard more often, especially where it is politically convenient.

Since the document agreed to in the late 1940s planted the seeds for this current debate over what constitutes a human right, it should come as no surprise then that various East Asian countries attempted to water down the already weak UN Declaration on Human Rights. Simply put, they smelled blood. The Bangkok Declaration pays homage to the idea that human rights are universal and that the world should avoid double standards. Yet later in the same document, the same idea is downplayed in an attempt to contextualize human rights according to "various historical, cultural and religious backgrounds."[73] The document was met with resistance from some of the more progressive Asian governments and was eventually rejected at the June 1993 United Nations World Conference on Human Rights in Vienna.[74] Yet even though such a blatant political cover for at least one country's own human rights abuses was rejected, the problem of proper definitions still exists and will persist.

Western and Asian policymakers who would criticize the very idea of universal human rights are laying the intellectual and philosophical foundations for tyranny. Much like an atheist who argues in one breath there are no moral restraints on him personally, and then criticizes others for what he sees as wrong or unjust behaviour, the critics of universal human rights construct their own gallows in much the same manner. If there are really no universal human rights, criticism of the West is groundless. Regardless of where

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[73] Ibid., 206-207.

[74] Ibid., viii.

the criticism may originate from, it too is merely culturally based, and thus invalid in a *Western* context. In other words, two can play the same game.

As for the attempt to downplay civil and political rights in order to emphasize economic and social rights, it is a false dichotomy. The existence of civil rights in Hong Kong did nothing to prevent that territory from becoming prosperous - quite the opposite. Such rights made it an oasis of stability for investment within East Asia. Investment occurred since the rules were clear and unambiguous due to the rule of law. Furthermore, it is not at all clear that the so-called social and economic rights can be guaranteed as can the civil and political rights. A dictator can choose to step down and introduce democracy. He cannot, no matter how much he or anyone may wish it, eradicate poverty at the stroke of a pen. While it is true that democracy is similarly difficult to guarantee under some circumstances and may not be free from corruption, it is possible to have the legal framework in place to at least provide a foundation for periodic elections for example. It is also possible to legislate against torture, in favour of a free press, and for the freedom of assembly, speech, and participation. Even if one could somehow magically guarantee the "social and economic rights," then one still has to ask why guaranteeing the civil and political rights should be seen as destructive of the aforementioned rights. They are not necessary opposites.

Further, it is not just a matter of considering what rights a state may be able to enforce. That is a utilitarian argument and while it is reasonable to ask what is the proper role of the state, and what is possible for the state to enforce, such an argument may not have enough appeal on a political level to separate the possible from the utopian.

Problem is, it is crucial to design policy, laws, and programs on the former and not the latter.

The core of the matter is a mistaken view as to what constitutes the proper ends for an individual, a society, or a government to pursue, and what are the means to those ends. Simply put, civil and political rights are the means. Everything else must necessarily fall under the category of the ends. The reason this is so is because it is only the civil and political rights that guarantee even the possibility of discussing, never mind agreeing, on what the ends should be.

The civil and political rights guarantee the right to pursue other laudable and noble ambitions and plans. To be sure, a society can exist without guaranteeing the civil and political rights and can even be prosperous and just. However, regardless of how the prosperity and just society came about, there is no possible way those successes can be guaranteed without the civil and political rights. Without the right to vote, without the freedom from intimidation that comes with a powerful state, one cannot guarantee that even the most benign and well-meaning of rulers will not change or be replaced by tyrants.

In addition, there is the practical problem of agreeing on the proper definition of economic and social rights. In many societies, such rights at one time meant a centralized economic system that effectively barred economic progress from occurring (at least relative to their free-market neighbours.) It would have been one thing if the citizens of Czechoslovakia chose a cumbersome centralized approach to economics as exemplified by the Marxist system, quite another when it was forced on them from above.

Guaranteeing the civil and political rights is simply a method for sorting through the various factions and claims to power. That it is not a perfect process of reflecting the "will of the people" is self-evident. It is impossible to for any system to truly reflect the will of the people at large since such an elusive and mystical will does not, in most cases, exist.

It would be ridiculous to suggest for example, that the selection of a particular government in any country represents the sum total of every wish, desire, and belief of each of the citizens who voted for such a government. Democratic politics is about the peaceable resolution of disputes and the pursuit of compromise. In the end, the civil and political rights are a mechanism with which to at least begin an honest discussion of what the other priorities for a state should be. Even those in totalitarian states who would prefer substantial reforms would understand that the proposed reforms have no lasting power apart from the anchor that such reforms would find in the populace at large. Civil and political rights are the means, the anchor, of reaching the other priorities of the state, and indeed, of determining whether some ideas and policies should even be considered, never mind implemented.

Argument Four: Rebuttal

The last argument generally employed is that the West has no business lecturing other countries because issues of human rights and democracy are matters of national, not

international concern, and that the West is hypocritical on such points anyway.

I will deal with the issue of sovereignty first. The reasoning is similar to that of the first criticism. Human rights and democratic freedoms can or must be interpreted differently according to the culture and political situation of a country. In this argument however, national sovereignty is invoked to justify the shutting down of arguments before they can be heard, at least ones that originate outside of the borders of the country in question.

In his advice to the citizens and new leaders of Hong Kong, Lee Kuan Yew employed such reasoning shortly after the British returned of the colony to China arguing that Hong Kong should remember that the American media, Congress and administration are not as interested in what happens to the 6.5 million people in Hong Kong as are China's 1.2 billion people. "China is aware that the world is watching, and I believe it will go out of its way to show that Hong Kong can thrive and prosper economically… But it will not tolerate politicking in Hong Kong that will disturb China's political system."[75]

The claim of national sovereignty is nothing new. The Soviet Union would reflexively dismiss human rights criticism as outside interference throughout its history. Of course, it is rather hypocritical for a dictatorship to claim immunity from outside criticism based on the argument it is protecting that nation's sovereignty.

> There is … ground for questioning whether the claim of a sovereign has the right not to be criticized or sanctioned for human rights abuses in countries ruled dictatorially.

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[75] Lee Kuan Yew, "A Place For Business, Not Politics," Far Eastern Economic Review, 3 July 1997. (world wide web. singapore-window.org/feer0703.htm) 1.

> That is, how can dictators, who deny the citizenry the opportunity to choose who should govern them and how they should be governed, claim to be vested with a sovereign right against outside interference? Dictatorships lack the legitimacy to make this claim.... Is it possible to suggest that Jiang Zemin and Li Peng represent anyone other than the aging leadership of the Chinese Communist Party? On whose behalf do they invoke sovereignty?[76]

It is true on a practical level that other nations recognize dictatorships. They have little choice. To pretend for seventy years that the Politburo was not actually speaking for the Soviet Union would be principled but politically impossible and probably dangerous. That fact does not mean that a dictator or oligarchy must be taken seriously on a philosophical level. The sovereign dictator wields power only so long as he can retain it by force. The lack of consent means other nation have every reason to take lightly the claims that such a leader speaks for the hearts and minds of his citizens.

Despite the rhetoric from those who invoke sovereignty as a reason to ignore Western concerns about human rights, such meddling frequently occurs and East Asian countries participate in such affairs. Yet Western criticism of human rights abuses in Asia is routinely dismissed as colonial and as interference in another nation's sovereignty. China is a case in point. Beijing signed the 1993 Bangkok Declaration – which was an attempt by East Asian nations to water down the United Nations covenants on political and civil rights. However, when it came to non-East Asian nations, China, Singapore and Malaysia, all signatories, had no trouble endorsing interference in another nation's sovereignty. Article 16 from the Bangkok Declaration is a perfect example of international interference in domestic affairs and of the duplicity of the East Asian

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[76] Aryeh Neier, "Asian Values vs. Human Rights," 2.

nations that signed it.

> [The signatories] strongly affirm their support for the legitimate struggle of the Palestinian people... and an immediate end to the grave violations of human rights in the Palestinian, Syrian Golan, and other occupied Arab territories including Jerusalem.[77]

That China would sign such a document is rich in irony, given that China has a number of contested occupied territories including Tibet. Of course, by joining the United Nations, nations ipso facto adhere to the basic belief that some actions of nations are beyond the pale and that collective action is necessary even when the issues are domestic. The sanctions against Iraq are a case in point. Resolutions over Bosnia – specifically mentioned as an example of western hypocrisy by Mahbubani - are another. In such situations, nations are quite capable of recognizing that sovereignty is a questionable defence against outside interference. It is not that sovereignty is irrelevant, it is not. It is just that the claims of sovereignty are invoked, quite transparently at times, depending on whose ox is being gored and how important the issue is perceived to be.

The more serious criticism is that the West is hypocritical in the extreme when it comes to human rights. If all else fails to convince a sceptic that democracy and human rights should be defined differently in East Asia, one can always point to the record of the West to argue that the West's concern with human rights and democracy should be ignored.

The comments in a previous section on the West's response to Bosnia by Kishore

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[77] Davis, Michael, C. Human Rights and Chinese Values, (Hong Kong: Oxford University Press, 1995): 207.

Mahbubani are a classic example of the attempt to shift the debate over human rights back to the West through charges of inconsistency and hypocrisy. But insofar as Bosnia is concerned, much of the West's response was conditioned by what it viewed as a political and military catch-22. To involve one's country in another's civil war required a justification for the eventual flow of bodybags that would show up on domestic tarmacs. Mahbubani forgets how recently that image burned in Western policymaker's minds, especially American, after the Somalia intervention. Further back in many Western minds, though never far from the surface, was the Vietnam War and all of its carnage.

To argue as does Mahbubani, that the West refrained from military action (he wrote before selected American bombings and the Dayton Accord) because the "victims" were Muslim as opposed to Christian is a simplification of the entire Bosnian civil war. It is also an omission of publicly stated positions by many Western politicians that supported the Bosnian Muslims while castigating the Serbians. Much of the West, politicians and journalists alike, were openly sympathetic to the Muslims in Yugoslavia, sometimes to the point of painting the conflict in black and white terms when war crimes were being committed on both sides. As later American bombing of Serbian targets made clear, the Serbs had few if any friends in the West. Russia, hardly a "Western" nation, was the only Serbian ally. Far from proving Mahbubani's point, his example points to a conclusion opposite of the one he grasps for. Despite his claim, many in the West were largely sympathetic to the Muslims, whether one looks at the public statements of Bill

Clinton,[78] Margaret Thatcher,[79] or Bob Dole[80].

Mahbubani is closer to the truth about confused Western thinking when he uses the example of the West's treatment of China as proof.

> Western behaviour towards China has been equally puzzling. In the 1970s, the West developed a love affair with a China ruled by a regime that had committed great atrocities during the Great Leap Forward and the Cultural Revolution. But when Mao Zedon's disastrous rule was followed by a more benign Deng Xiaoping era, the West punished China for what by its historical standards was a minor crackdown: the Tiananmen incident.[81]

Mahbubani's criticisms of the inconsistencies in Western policy towards China are valid enough. However, when he speaks of the difference in policy from 1972 to 1989, the United States was four presidents removed from the one who re-established relations with China. Foreign policy is rarely so consistent that it can survive such political and administrative turnovers. Such comments only expose his own inexperience in what are considered normal policy shifts from one administration to another, something that has yet to happen in Singapore.[82]

In addition, post-Cold War, the Americans have the luxury of confronting countries over human rights, democracy, and trade in a manner they dared not do at the

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[78] Carroll J. Doherty, "Senate retreats from mandate to arm Bosnian Muslims," Congressional Quarterly Weekly Report, 2 July 1994, 1.

[79] Bruce Wallace, "Faces of Pain," Maclean's, 7 August 1992, 16.

[80] Carroll J. Doherty, "Reports of Serbian Atrocities Intensify Calls for Force," Congressional Quarterly Weekly Report, 8 August 1992, 1.

[81] Mahbubani, "Dangers Of Decadence," 12.

[82] Singapore has been ruled, albeit by popular vote, by the People's Action Party since independence in 1959, and during its brief federation with Malaysia from 1960 to 1963.

height of the Cold War given the necessity for strong anti-Communist alliances. Much criticism from the third world during the Cold War as regards the United States was that human rights and democratic concerns were being sacrificed to politics. It is ironic that the criticism now from many in the third world is that the Americans are paying too much attention to such issues.

In addition to the change in the political climate, the media is more attentive and present in areas that were off limits thirty years ago. Whether in Red Square or Tiananmen Square, the nature of media coverage has changed. This is especially evident when television cameras are present. Such visual recording of an event such as Tiananmen Square makes it impossible for other governments not to respond in some manner.

To restate it insofar as the debate concerns East Asia, Mahbubani is correct to point out the previous and current inconsistencies of Western policymakers with regards to China. Yet his criticism takes no note of the obvious splits that occur within a healthy democracy. He is also reaching back thirty years or more to argue that present-day Western policy vis-à-vis China are harsh by comparison. Well, only by comparison. The lack of a firm stand on human rights, deliberate blindness, or a simple unawareness on the part of some in the West of what was happening during the Cultural Revolution is hardly a justification for continued pampering of China, Cuba, or Burma. It is quite a leap to assume that Western policies, even confused and contradictory ones emanating from a

Clinton White House, threaten the otherwise "smooth progress of East Asia."[83]

To be sure, Clinton's initial policies towards Asia have been short-sighted, idealistic, simplistic and unproductive - squandering what little credibility the new Clinton foreign policy team possessed. The attempt to pressure the Pyongyang regime to abide by the Nuclear Non-proliferation Treaty is the best example of President Clinton's haphazard strategy. At the very same time the issue was becoming critical in March of 1994, the administration was bullying Japan over trade and China over human rights at a time when both countries' support was crucial for pressuring North Korea to abandon its nuclear weapons program. At the end of the day, Bill Clinton: (1) cut the link between MFN and human rights anyway; (2) angered China and weakened his own position in the future by threatening one action and eventually performing another; (3) weakened relations with Japan, a country with an already soft touch when it comes to issues of deterrence; and (4) ended up negotiating a weak deal with North Korea. One has to go back to the Carter administration to find as many examples of foreign policy miscalculations, reversals, and failures as regards one region in a single year.

Nevertheless, inconsistent American policy towards China is not responsible for "threatening the smooth progress of East Asia," though it has sent out confusing signals. China's actions with regards to Tibet, Taiwan, the South China Sea, and the democratic movement in Hong Kong are what will disrupt the smooth progress of the region more than anything else. Short of collapsing American military commitment in East Asia,

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[83] Mahbubani, "Dangers Of Decadence," 12.

nothing the White House says or does will have an equivalent effect.

When Mahbubani insists that "China had virtually no choice in Tiananmen" and that Asians watch with trepidation as "Western policies on China lurch to and fro, threatening the otherwise smooth progress of East Asia" he is engaging in hyperbolic posturing, not reasoned discourse. It betrays sympathy for realpolitik that is quite misplaced in this instance. It is one thing to admit that Singapore or any other nation can do little about China's actions in Tiananmen Square, quite another to insist that China had no choice in the severity of its crackdown. Mahbubani confuses realpolitik foreign policy with a misplaced sympathy for China's domestic situation and the leadership's violent overreaction to Tiananmen Square protests.

Of course, there are technical differences between the scale of atrocities committed during the Great Leap Forward and the Cultural Revolution. Over the length of the Cultural Revolution, The Chinese Red Guards murdered 400,000 of their fellow citizens according to one estimate. In addition, the number of deaths that resulted from the "Great Leap Forward" to communism and from forced collectivization as well as from the Cultural Revolution is estimated in the tens of millions.[84]

The necessity of acknowledging a statistical and numerical difference between a single crackdown and previous Chinese government atrocities committed against their own people, do not help the "Asia is unique" argument as it applies to human rights and democracy. If anything, such events point to the need for plain language when speaking

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[84] Paul Johnson, Modern Times: The World from the Twenties to the Nineties, rev. ed., (New York: HarperCollins Publishers, 1991), 558.

about repression and the danger of authoritarian states in East Asia.

As for Tiananmen Square, the argument that the either superpower is wholly at fault for the breakdown in diplomatic relations, or that the Chinese government should not have been publicly rebuked for their brutal response to peaceful protest, is playing the diplomatic game with two sets of rules: one for governments that respect human rights and another for those who do not. Privately, one may not *expect* China's current leadership to behave towards its citizens in a manner similar to that of Sweden, and sanctions might well have been counterproductive. That admission however, does not argue for an international double standard nor for the complete submersion of ethics to power. Perfect moral choices may not be available and the necessary practice of realpolitik may allow for continued trade with a nation whose government one finds disturbing. That is not, however, an adequate justification for a cavalier attitude towards human rights in the manner in which Mahbubani dismisses Western criticism of Tiananmen Square. One can acknowledge the difficulty of doing anything else other than trading with China without scorning human rights in the process.

The intellectual defense, which critics such as Mahbubani provide, and the ease with which Western criticism is dismissed, does a great disservice to democrats and human rights campaigners in Asia. In providing an intellectual defense of the more autocratic regimes in black and white terms, autocratic stability versus democratically induced political and cultural chaos, such critics of democracy supply critically needed oxygen to recalcitrant regimes. In short, the West is not the only region that contains countries capable of double standards.

Chapter Three

Conclusion

There is no "Asian value" that can be used as a reason to define human rights and democracy differently. This is so for several reasons. First, the countries of East Asia do not possess even a uniform religious or philosophical base. The Philippines is mainly Catholic. Japan and Taiwan are predominantly Confucian and Buddhist. Singapore is mainly Confucian with some Christian and Islamic influence. Indonesia's list occurs in the opposite order of Singapore. South Korea is Confucian-based but with a growing and politically influential Christian element. North Korea, Vietnam, and China are all still officially Marxist, but with a growing emphasis placed on their historical Confucian culture, with the latter two containing some significant Christian populations. Malaysia is mainly Islamic, but with some Christian and Confucian segments. The very variety of East Asia argues against the notion of "Asian values" unless defined so broadly as to be virtually meaningless.

Put another way, East Asia is diverse. As Clark D. Neher and Ross Marlay argue, the region was not even thought of as a coherent region until World War Two.[85] In fact, Singapore is a perfect example of the diversity of East Asia and the best example of the nonsensical claim by its leaders that there are distinctive "Asian values." According to Singapore's own government, Singapore's distinctiveness consists of four elements:

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[85] Clark D. Neher & Ross Marlay, Democracy and Development in Southeast Asia, 9.

multiracialism, multilingualism, multiculturalism, and multireligiosity.[86] Canada, the United States, Australia, New Zealand, France, and the United Kingdom could all make the same claim and in most cases with more proof of such diversity. Certainly any major American or Canadian city could claim such distinctiveness. Contrast New York City's dozens of ethnic groups with Singapore's relatively limited main three (Chinese, Malay, and British/Western.)

Second. East Asian leaders in search of distinct Asian values never mention the negative Asian practices, only the positive such as a strong work ethic and loyalty to family. "Eastern" values are assumed virtuous while "Western" are assumed decadent. "Are corruption, nepotism, foot-binding, temple prostitution and child labour 'eastern' as many critical westerners might suggest? Alas, this is a possibility passed over in silence," says John Clammer. [87] Clammer of course asks a rhetorical question. Such practices have and are in some areas still practiced and are as much an Asian value as a diligent work ethic. The difference is that the latter value is trumpeted while the negative values are not.

Third. Western hypocrisy on human rights is an irrelevant argument insofar as whether East Asia should endorse civil and political rights. Western nations are, without question, often hypocritical on the subject of human rights. The recent Canadian decision not to co-sponsor a UN resolution condemning human rights abuses by Beijing is the latest weakening of Western resolve on such matters.[88] The Danish-initiated resolution,

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[86] Sandhu, Management of Success, 564.

[87] John Clammer, Singapore: Ideology, Society, Culture, 23.

[88] Jeff Sallot. "Canada Softens China Stand," The Globe And Mail, 15 April 1997.

which Canada has supported since 1989, makes Denmark a target for economic retaliation from China. Such would not be the case if Western countries supported the resolution en masse. Canada's retreat leaves it looking shallow, opportunistic, and cynical.

Insofar as Western leaders - Jean Chretien foremost among them - refuse to bring up the issue in any substantial way, they betray their claim to actually believe in a policy of universal human rights, rhetoric to the contrary notwithstanding. The longer the moral high ground is sacrificed to vague notions of culturally-based human rights (in the sense that some nations need not respect certain rights), the more difficult it will be to argue that any right, anywhere, is truly universal.

But whether the United States or Canada is completely consistent in its promotion of the subject is beside the point. It has a practical real-world effect on the debate which sets back the argument for universal human rights, but in the end no amount of Western hypocrisy or realpolitik forces China to imprison dissidents based on their political beliefs, or to practice torture in Chinese prisons.[89] The same logic applies to Vietnamese, Indonesian or Malaysian treatment of dissidents. Martin Lee, leader of Hong Kong's Democratic Party summarizes the argument about community being more important than the individual when it comes to democratic freedoms and human rights.

> Is there something mentally defective in the Chinese mind that we cannot choose our own leaders? Why are Asians different when it comes to human rights? I have yet to see an Asian thrown into prison without good reason who says, 'The government has

[89] Neier, 1.

no right to put me in prison, but I am a happy man because I am Asian.'"[90]

Furthermore, dissident Liu Qing attacks the specific criticism that Chinese dissidents are promoting Western culture instead of an objective standard on human rights as some claim. He argues that view is simply without a basis in reality. Few of the Chinese striving for human rights and democracy have been nurtured in Western culture he argues, though many of them have consequently experienced forced education, brainwashing, repeated imprisonment and ruthless persecution by the Chinese government.

> Actually, the principle is very simple. There is no more authoritative truth than the truth of human nature, which in turn generally maintains human dignity and worth. Compared to the authoritarian system, the system of human rights and democracy is unquestionably closer to such a view of human nature. This is clear in any culture when measured with a spiritual and social-values yardstick. It also demonstrates that the pursuit of human rights and democracy cannot be limited by culture. With different cultures, the only differences lie in the speed and degree of difficulty in the creation of such a system of human rights and democracy. In China's present situation, prisons, rather than culture, are holding back the creation of a system of human rights and democracy.[91]

Fourth. The advocacy of political and civil rights is not a demand for perfectionism or immediate implementation of representative government or a flawless record on human rights, but that such goals are worth pursuing by any government anywhere. To advocate less is to forever dabble in relativistic debates about the proper freedoms citizens should enjoy. By providing citizens with the freedom to speak and the freedom to choose their representatives, the resulting assemblies can then formulate their

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[90] Kristin Huckshorn, "Lawmakers fight for civil rights in Hong Kong," San Jose Mercury News, 2 June 1997 (www.sjmercury.com/news/asia/hongkong/docs/hk060291.htm) 3.

own answers to such questions. If Singapore and Malaysia wish to continue to execute drug traffickers, that is almost an irrelevant issue compared to whether the citizens of Malaysia and Singapore should have the right to decide about the proper punishment for drug traffickers. One is a basic civil right, the other is an argument about the proper limits of justice and punishment.

Fifth. The sorry history of authoritarianism in East Asia, especially when compared with the records of the more democratic and more open states, makes for a stark contrast and argues for democracy. Whether one is comparing the freedoms in China and Taiwan, North Korea and South Korea, or Thailand and Vietnam, the East Asian democracies all possess more liberty and respect human rights above and beyond that of their oligarchic cousins. In addition, the inherent advantage that democratic assemblies possess as opposed to their non-democratic counterparts, is that the former no longer have to continually justify their existence or continually repress dissent. Their legitimacy is already demonstrated by the fact that citizens choose to participate. There is now a long list of countries in East Asia that already subscribe to some form of participatory democracy and who pay at least token lip service to the concept of universal human rights. Those that advocate a restriction on the rights of citizens to participate in the structures that govern them must now bear the burden of proof as to why their anti-democratic stance or circumscribed views on human rights are superior. By almost any standard of measurement - be it economic, social, or even in the ability to retain a

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[91] Liu Qing, trans. Yuan Xue, "Human rights, Democracy, and China," Journal of International Affairs 49, No. 2 (Winter 1996): 333.

distinctive culture as in the example of Japan - the democracies have thus far prove to be superior. Democracy and a commitment to the basic civil and political rights have not made such states any less Asian; it has simply made them more secure, prosperous and stable. Given the history of the region, if not the rest of the world, that is not an insignificant achievement.

The reasoning behind the 'Asian values' argument is one part nationalism, understandable given colonialism, but three parts bad philosophy, an ignorance of East Asian history, and an unfortunate wariness of influences from non-Asian countries. That is counter-productive since the best argument for citizen-led governments and a robust commitment to human rights, regardless of where such concepts originated, come from one very influential East Asian politician. The politician in question, once informed by a Japanese journalist that Asians should be left alone to find Asian solutions, responded that the Japanese army once swept down the whole of Southeast Asia. "And if it was Asian forces who decide all this you would still be here. It was because other forces were invoked that you had to go back to your island home."[92]

The same politician later gave advice to senior Japanese politicians in 1994, arguing strenuously against the tendency of Japan and her people to see Japan and Japanese culture as unique. He argued that although this would require a change in the mindset of many Japanese, it was critical for her as a potentially more important world leader to re-evaluate past convictions about her culture.

To recap, if Japan is to be a world player in the field of economics and politics, it has

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[92] Josey, 282.

> to become an open society like the US, easy to read and understand. It must win the respect and admiration of other countries. Japan cannot hold itself out as a unique civilisation. Instead, Japan has to become a model from which others can borrow parts of Japanese civilisation to improve their own system and so be more successful. This needs a profound change in the mindset of Japanese leaders and especially those in politics, the media and academia.[93]

Now the question is why would the politician in question – Lee Kuan Yew – advocate such a cosmopolitan and sensible worldview for Japan, but reject it for his own country and for the rest of East Asia with regards to human rights and democracy?

[93] Lee Kuan Yew, "Japan's Role in the 21st Century," (world wide web.gov.sg/government/speeches/b.html) 3.

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